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NORTH CAROLINA REGISTER

VOLUME 12 • ISSUE 21 • Pages 1870 - 1977
May 1, 1998

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Voting Rights Letter
Community Colleges
Employee Assistance Professionals
Environment and Natural Resources
Health and Human Services
Justice
Medical Board
Speech & Language Pathologists and Audiologists
Rules Review Commission
Contested Case Decisions

PUBLISHED BY

The Office of Administrative Hearings
Rules Division
PO Drawer 27447
Raleigh, NC 27611-7447
Telephone (919) 733-2678
Fax (919) 733-3462

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For those persons that have questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address, but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

Office of Administrative Hearings
Rules Division
Capehart-Crocker House — (919) 733-2678
424 North Blount Street — (919) 733-3462 FAX
Raleigh, North Carolina 27601-2817

contact: Molly Masich, Director APA Services — mmasich@oah.state.nc.us
Ruby Creech, Publications Coordinator — rcreech@oah.state.nc.us

Fiscal Notes & Economic Analysis

Office of State Budget and Management
116 West Jones Street — (919) 733-7061
Raleigh, North Carolina 27603-8005 — (919) 733-0640 FAX

contact: Mark Sisak, Economist III — msisak@osbm.state.nc.us
Anna Tefft, Economist II — atefft@osbm.state.nc.us

Rule Review and Legal Issues

Rules Review Commission
1307 Glenwood Ave., Suite 159 — (919) 733-2721
Raleigh, North Carolina 27605 — (919) 733-9415 FAX

contact: Joe DeLuca Jr., Staff Director Counsel
Bobby Bryan, Staff Attorney

Legislative Process Concerning Rule Making

Joint Legislative Administrative Procedure Oversight Committee
545 Legislative Office Building
300 North Salisbury Street — (919) 733-2578
Raleigh, North Carolina 27611 — (919) 715-5460 FAX

contact: Mary Shuping, Staff Liaison — marys@ms.ncga.state.nc.us

County and Municipality Government Questions or Notification

NC Association of County Commissioners
215 North Dawson Street — (919) 715-2893
Raleigh, North Carolina 27603

contact: Jim Blackburn or Rebecca Troutman

NC League of Municipalities
215 North Dawson Street — (919) 715-4000
Raleigh, North Carolina 27603

contact: Paula Thomas

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NORTH CAROLINA REGISTER

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Rules Division
424 North Blount Street (27601)
PO Drawer 27447
Raleigh, NC 27611-7447
(919) 733-2678
FAX (919) 733-3462

Julian Mann III, Director
Camille Winston, Deputy Director
Molly Masich, Director of APA Services
Ruby Creech, Publications Coordinator
Jean Shirley, Editorial Assistant
Linda Richardson, Editorial Assistant

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NORTH CAROLINA REGISTER
Publication Schedule
(June 1998 - March 1999)

FILING DEADLINES			NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT (either column A or column B)							TEMPORARY RULE
					A. non-substantial economic impact			B. substantial economic impact			
volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	270th day from issue date
12:23	06/01/98	05/08/98	08/03/98	06/16/98	07/01/98	07/20/98	01/27/99	07/31/98	08/20/98	01/27/99	02/26/99
12:24	06/15/98	05/22/98	08/14/98	06/30/98	07/15/98	07/20/98	01/27/99	08/14/98	08/20/98	01/27/99	03/12/99
13:01	07/01/98	06/10/98	09/01/98	07/16/98	07/31/98	08/20/98	01/27/99	08/31/98	09/21/98	01/27/99	03/28/99
13:02	07/15/98	06/23/98	09/15/98	07/30/98	08/14/98	08/20/98	01/27/99	09/14/98	09/21/98	01/27/99	04/11/99
13:03	08/03/98	07/13/98	10/15/98	08/18/98	09/02/98	09/21/98	01/27/99	10/02/98	10/20/98	01/27/99	04/30/99
13:04	08/14/98	07/24/98	10/15/98	08/31/98	09/14/98	09/21/98	01/27/99	10/13/98	10/20/98	01/27/99	05/11/99
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13:18	03/15/99	02/22/99	05/14/99	03/30/99	04/14/99	04/20/99	05/00	05/14/99	05/20/99	05/00	12/10/99

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

(1) temporary rules;
(2) notices of rule-making proceedings;
(3) text of proposed rules;
(4) text of permanent rules approved by the Rules Review Commission;
(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;
(6) Executive Orders of the Governor;
(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;
(8) orders of the Tax Review Board issued under G.S. 105-241.2; and
(9) other information the Codifier of Rules determines to be helpful to the public.

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

FILING DEADLINES

ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.

LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

NOTICE OF RULE-MAKING PROCEEDINGS

END OF COMMENT PERIOD TO A NOTICE OF RULE MAKING PROCEEDINGS: This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.

EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD

(1) RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.

(2) RULE WITH SUBSTANTIAL ECONOMIC IMPACT: An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(b1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY: This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.

EXECUTIVE ORDER NO. 131
AMENDING EXECUTIVE ORDER NO. 127
NORTH CAROLINA BOARD OF ETHICS

By the authority vested in me as Governor by the laws and Constitution of the State of North Carolina, IT IS ORDERED:

Section 1.

Section 8.c.2 of Executive Order No. 127 is amended by deleting the following: "The valuation of each asset or liability listed shall be indicated pursuant to the following categories:

At least $10,000 but less than $50,000;
At least $50,000 but less than $100,000;
At least $100,000 but less than $500,000;
At least $500,000 but less than $1,000,000;
In excess of $1,000,000."

Section 8.c.2 of Executive Order 127 is amended to read as follows:
(o) "The filing Public Official shall list all directorships on all boards of which he or she is a member."

Section 8.c. is amended by adding the following to read as follows:
5. If the Public Official believes a potential for conflict exists, he or she has a duty to inquire of the Board as to that potential conflict.

Section 2.

Section 8.d of Executive Order No. 127 is amended by deleting the following sentence:
"These Statements shall be resubmitted within thirty days of the Public Official's receipt of the form described in 'c' above."

In place of the sentence hereby deleted is substituted the following:

"These Statements shall be resubmitted to the Board of Ethics on or before May 15, 1998."

Section 3.

Subject to the amendments herein, all provisions of Executive Order No. 127 shall remain in full force and effect.

This Order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 25th of March, 1998.

This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.

U.S. Department of Justice
Civil Rights Division

Voting Section
P.O. Box 66128
Washington, DC 20035-6128

EJ:VLO:NT:jdp
DJ 166-012-3
96-3921
96-4381
97-3703
98-0449

March 23, 1998

Michael Crowell, Esq.
Tharrington Smith
P.O. Box 1151
Raleigh, North Carolina 27602-1151

Dear Mr. Crowell:

This refers to eight annexations (six adopted on August 1, 1996 (areas 1, 9, 10, 11, 12 and 13), one adopted on November 12, 1997, and one adopted on January 14, 1998) and their designation to election districts of the City of Reidsville in Rockingham County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on January 27 and 30, and February 5, 1998; supplemental information was received on February 27, 1998.

Your February 27, 1998, letter withdraws your submission of the annexation of Area 12, adopted on August 1, 1996, from Section 5 review. Accordingly, no determination by the Attorney General is required concerning this matter. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.25(a)).

The Attorney General does not interpose any objection to the remaining specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. 28 C.F.R. 51.41 and 51.43.

Sincerely,

Elizabeth Johnson
Chief, Voting Section

cc: Mr. D. Kelly Almond

U.S. Department of Justice

Civil Rights Division

Voting Section
P.O. Box 66128
Washington, DC 20035-6128

EJ:DHH:TGL:jdp
DJ 166-012-3
98-0385

April 1, 1998

David A. Holec, Esq.
City Attorney
P.O. Box 7207
Greenville, North Carolina 27835-7207

Dear Mr. Holec:

This refers to six annexations (Ordinance Nos. 97-119, 97-121, 97-122, 97-123, 97-136 and 97-137) and designation of the annexed areas to districts of the City of Greenville in Pitt County, North Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on February 2, 1998.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Sincerely,

Elizabeth Johnson
Chief, Voting Section

A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 3 - FACILITY SERVICES

Notice of Rule-making Proceedings *is hereby given by the North Carolina Child Care Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

Citation to Existing Rules Affected by this Rule-Making: *10 NCAC 3U .0102, 0300, 1600, 1700, 2000, 2500. Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 143B-168.3*

Statement of the Subject Matter: *Child Day Care Rules for Issuing Rated Licenses.*

Reason for Proposed Action: *S.L. 97-0506 provides for child care centers and family child care homes to receive rated licenses based on program standards, education levels of staff, and compliance history. The North Carolina Child Care Commission proposes to revise or adopt rules as necessary to issue rated licenses to child care facilities.*

Comment Procedures: *Questions or written comments regarding this matter may be directed to Nancy Guy, APA Coordinator, Division of Child Development, 319 Chapanoke Road, P.O. Box 29553, Raleigh, N.C. 27526-0553; (919) 662-4543.*

TITLE 12 - DEPARTMENT OF JUSTICE

CHAPTER 9 - CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS

Notice of Rule-making Proceedings *is hereby given by the North Carolina Criminal Justice Education and Training Standards Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

Citation to Existing Rules Affected by this Rule-Making: 12 NCAC 9A .0103; 9B .0101, .0210 - .0215, .0218, .0220 - .0222, .0301, .0305, .0309 - .0311, .0404, .0408 - .0409, .0414, .0416; 9C .0308. *Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 17C-2; 17C-6; 17C-10*

Statement of the Subject Matter: *Adopting a new definition for "LIDAR"; removing course topic area, performance objectives and hours from code for all radar SMI courses; increasing the term of certification for SMI instructors to three years; amending rules such that arrests/charges be reported to the Commission; adding lack of good moral character as a sanction for decertification of instructors; and, adopting a rule to require instructor competence in his/her subject area.*

Reason for Proposed Action: *The North Carolina Criminal Justice Education and Training Standards Commission has authorized rule-making authority to amend/adopt numerous administrative rules in order to better define the minimum employment and training standards that regulate the criminal justice officer profession in this State. Additionally, technological improvements in Speed Measuring Instruments (radar, TDS, laser) have resulted in a pressing need to amend the Commission's SMI rules.*

Comment Procedures: *Any person interested in this rule-making proceeding may present oral or written comments relevant to the above-stated subject mater for a period of 60 days from this notice. Written comments should be directed to Scott Perry, Deputy Director, at the Criminal Justice Standards Division which is located in G-25, Old Education Building, 114 West Edenton Street, P.O. Drawer 149, Raleigh, North Carolina 27602.*

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 7 - COASTAL MANAGEMENT

Notice of Rule-making Proceedings *is hereby given by the ENR-Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

Citation to Existing Rules Affected by this Rule-Making: *15A NCAC 7H .0208, .0209, .1100-1700; 7K .0203, 0208. Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 113A-103(5)c; 113A-107(a)(b); 113A-108; 113A-113(b); 113A-118.1; 113A-118a; 113A-124; 113A-229(cl)*

Statement of the Subject Matter: *The proposed rules will provide additional protection to Estuarine and Public Trust resources by amending the existing Estuarine Shoreline Area of Environmental Concern rules and extending AEC shoreline protection rules to public trust waters.*

Reason for Proposed Action: *Review of current rules and scientific literature identified a need to implement rules to minimize adverse impacts from development adjacent to Estuarine and Public Trust resources.*

Comment Procedures: *Contact Charles Jones, Assistant Director, 151-B Hwy 24, Morehead City, NC 28570, (252) 808-2808.*

* * * * * * * * * * * * * * * * * * * *

CHAPTER 7 - COASTAL MANAGEMENT

Notice of Rule-making Proceedings *is hereby given by the ENR-Coastal Resources Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.*

Citation to Existing Rules Affected by this Rule-Making: *15A NCAC 7L .0202, .0203, .0206, .0302, .0304, .0401, .0405. Other rules may be proposed in the course of the rule-making process.*

Authority for the rule-making: *G.S. 113A-112; 113A-124.*

Statement of the Subject Matter: *Revised priorities for awarding local planning and management grants to local governments in the coastal area.*

Reason for Proposed Action: *The Governor's Coastal Futures Committee (CFC) and Coastal Resources Commission (CRC) have both recommended amending the funding priorities to reflect current local government planning and management objectives. The rules have not been updated in several years..*

Comment Procedures: *All persons interested in this matter are invited to make written comment to the NC Coastal Resources Commission. Comments may be mailed or faxed to Kim Smith, Division of Coastal Management, Post Office Box 27687, Raleigh, NC 27611-7687; Fax: (919)733-1495.*

This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars ($5,000,000). Statutory reference: G.S. 150B-21.2.

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the Secretary of DHHS intends to adopt rule cited as 10 NCAC 21B .0117. Notice of Rule-making Proceedings was published in the Register on March 2, 1998.

Proposed Effective Date: *April 1, 1999*

A Public Hearing *will be conducted at 10:00 a.m. on June 3, 1998 at the Fisher Building Conference Room, 309 Ashe Avenue, Raleigh, NC.*

Reason for Proposed Action: *On November 6, 1997, Fire Inspector Travis Crabtree conducted an inspection of the streets on The Governor Morehead School Campus. Several fire safety hazards and/or violations of the local state codes were noted. A copy of the report is attached. An Order To Comply was issued requiring GMS to correct these infractions as soon as possible. Failure to comply with the order may render the state liable to the penalties provided by law for these violations. More importantly, these violations could jeopardize the safety and welfare of students and staff on the GMS Campus.*

Comment Procedures: *Interested persons may present their views at the hearing by registering by phone or mail prior to the hearing. Please bring a written copy of your comments to the hearing. You may submit written comments until June 3, 1998 if you cannot attend the hearing. Oral statements may be limited at the discretion of the Hearing Officer. To register or obtain additional information, please contact Patricia Purser, Director of Support Services, The Governor Morehead School, 309 Ashe Avenue, Raleigh, NC 27606. Her telephone number is (919) 715-8806.*

Fiscal Note: *This Rule affects the expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter 143. This Rule does not have a substantial economic impact of at least five million dollars ($5,000,000) in a 12-month period.*

CHAPTER 21 - GOVERNOR MOREHEAD SCHOOL

SUBCHAPTER 21B - CAMPUS REGULATIONS

SECTION .0100 - ABSENCES FROM CAMPUS

.0117 THE GOVERNOR MOREHEAD SCHOOL CAMPUS PARKING

Parking on The Governor Morehead School Campus shall be in conformity with the following requirements:

(1) Vehicles shall be parked only in designated parking spaces. Parking spaces are defined by painted lines in the surfaced areas and by wheel-stops in non-surfaced areas.

(2) No parking is allowed on any streets.

(3) No stopping to load or unload is allowed on any streets.

(4) Signs shall be erected in specific areas indicating No Parking and Tow-away Zones.

(5) The school may have removed to a place of storage, at the owner's expense, any unattended vehicle illegally parked in a designated tow-away zone.

(6) No parking is allowed in any manner that would block or prohibit access to a designated crosswalk.

Authority G.S. 143-116.7.

* * * * * * * * * * * * * * * * * * * *

Notice is hereby given in accordance with G.S. 150B-21.2 that the DHHS-Division of Medical Assistance intends to amend rule(s) cited as 10 NCAC 26D .0010; 26K .0006; 50A .0604; and 50B .0202. Notice of Rule-making Proceedings was published in the Register on September 15, 1997.

Proposed Effective Date: *April 1, 1999*

A Public Hearing *will be conducted at 1:30 p.m on June 1, 1998 at 1985 Umstead Drive, Room 132, Raleigh, NC.*

Reason for Proposed Action: *These rules are being challenged and appear to be adequate for ensuring that the Medicaid program does not pay for medical expenses that could be paid by Medicare. Federal financial participation cannot be claimed for expenditures paid by Medicaid when Medicare is available as the primary payer. These changes will strengthen the authority of the Medicaid program to require a person to make a Medicare application as a condition for payment of a claim. State will be payer of last resort. Medicare will be primary payer.*

Comment Procedures: *Written comments concerning this rule-making action must be submitted by June 15, 1998 to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603.*

Fiscal Note: *These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars ($5,000,000) in a 12-month period.*

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26D - LIMITATIONS ON AMOUNT: DURATION: AND SCOPE

.0010 COORDINATION WITH TITLE XVIII

The entire range of benefits available under Part A and Part B of Title XVIII ~~to Medicare - eligible persons~~ shall be provided through a buy-in agreement with the US Secretary of Health and Human Services as provided by 1843 and 1818 of Title XVIII of the Social Security Act. ~~Services.~~ ~~This~~ The buy-in agreement shall cover all ~~persons eligible~~ eligible persons under the state's approved Title XIX plan. Claims made to Medicaid for payment of Medicare covered services will be denied for individuals who are entitled to Medicare benefits, but have not enrolled in the Medicare program.

Authority G.S. 108A-25(b); 42 C.F.R. 431.625; 42 C.F.R. 433, Subpart D.; Social Security Act 1903(b)(1).

SUBCHAPTER 26K - TITLE XIX APPEALS PROCEDURES

.0006 PROVIDER BILLING OF PATIENTS WHO ARE MEDICAID RECIPIENTS

(a) A provider may refuse to accept a patient as a Medicaid patient and bill the patient as a private pay patient only if the provider informs the patient that the provider will not bill Medicaid for any services but will ~~charge~~ bill the patient for all services provided.

(b) Acceptance of a patient as a Medicaid patient by a provider includes, but is not limited to, entering the patient's Medicaid number or card into any sort of patient record or general record-keeping system, obtaining other proof of Medicaid eligibility, or filing a Medicaid claim for services provided to a patient. A patient, or a patient's representative, must request acceptance as a Medicaid patient by:

(1) presenting the patient's Medicaid card or presenting a Medicaid number either orally or in writing; or
(2) stating either orally or in writing that the patient has Medicaid coverage; or
(3) requesting acceptance of Medicaid upon approval of a pending application or a review of continuing eligibility.

(c) Providers may bill a patient accepted as a Medicaid patient only in the following situations:

(1) for allowable deductibles, co-insurance, or co-payments as specified in 10 NCAC 26C .0003; or
(2) prior to providing the service, the provider has informed the patient that the patient may be billed for the service because:
    (A) it is not a service covered by Medicaid, regardless of the type of provider; or
    (B) it is beyond the Medicaid service limit as specified under 10 NCAC 26B, 10 NCAC 26C, and 10 NCAC 26D; or
    (C) it is an in-plan benefit which has not been authorized by the patient's managed care organization as specified under 10 NCAC 26M .0203; or
    (D) the patient is 65 years of age or older and is entitled to Medicare but has not enrolled; or
    (E) the patient is no longer eligible for Medicaid as defined in 10 NCAC 50B.

~~before the service is provided the provider has informed the patient that the patient may be billed for a service that is not one covered by Medicaid regardless of the type of provider or is beyond the limits on Medicaid services as specified under 10 NCAC 26B, 10 NCAC 26C, and 10 NCAC 26D; or~~

~~(3) the patient is 65 years of age or older and is enrolled in the Medicare program at the time services are received but has failed to supply a Medicare number as proof of coverage; or~~

~~(4) the patient is no longer eligible for Medicaid as defined in 10 NCAC 50B.~~

(d) When a provider files a Medicaid claim for services provided to a Medicaid patient, the provider shall not bill the Medicaid patient for Medicaid services for which it receives no reimbursement from Medicaid when:

(1) the provider failed to follow program regulations; or
(2) the agency denied the claim on the basis of a lack of medical necessity; or
(3) the provider is attempting to bill the Medicaid patient beyond the situations stated in Paragraph (c) of this Rule.

(e) A provider who accepts a patient as a Medicaid patient shall agree to accept Medicaid payment plus any authorized deductible, co-insurance, co-payment and third party payment as payment in full for all Medicaid covered services provided, except that a provider may not deny services to any Medicaid patient on account of the individual's inability to pay a deductible, co-insurance or co-payment amount as specified in 10 NCAC 26C .0003. An individual's inability to pay shall not eliminate his or her liability for the cost sharing charge. Notwithstanding anything contained in this Paragraph, a provider may actively pursue recovery of third party funds that are primary to Medicaid.

(f) When a provider accepts a private patient, bills the private patient personally for Medicaid services covered under Medicaid for Medicaid recipients, and the patient is later found to be retroactively eligible for Medicaid, the provider may file for reimbursement with Medicaid. Upon receipt of Medicaid reimbursement, the provider shall refund to the patient all money paid by the patient for the services covered by Medicaid with the exception of any third party payments or cost sharing amounts as described in 10 NCAC 26C .0003.

Authority G.S. 108A-25(b); 108A-54; 42 C.F.R. 447.15.

CHAPTER 50 - MEDICAL ASSISTANCE

SUBCHAPTER 50A - GENERAL PROGRAM ADMINISTRATION

SECTION .0600 - CORRECTIVE ACTIONS IN MEDICAID CASES

.0604 RESPONSIBILITY FOR ERRORS

(a) The Division of Medical Assistance shall be financially responsible for the erroneous issuance of benefits and Medicaid claims payments when:

(1) Policy interpretations given by Division of Medical Assistance or its agents are erroneous and that is the sole cause of any erroneous benefits or payments; or

(2) Division of Information Resource Management ~~Systems~~ operations staff fail to manually remove Medicaid ID cards from outgoing mail subsequent to the county DSS's timely authorization of a termination or reduction in benefits; or

(3) A systems failure at the state computer center occurs on the last cutoff date of the month preventing the county DSS from data entering case terminations or adverse actions; or

(4) Any other failure or error attributable solely to the state occurs.

(b) The county department of social services shall be financially responsible for the erroneous issuance of benefits and Medicaid claims payments when it:

(1) Authorizes retroactive eligibility outside the dates permitted by regulations or Rule .0603 of this Subchapter; or

(2) Fails to send required notices of patient liability or deductible balance to medical providers; or

(3) Fails to end-date special coverage indicators such as CAP, or HMO in the state eligibility information system; or

(4) Enters an authorization date in the eligibility system that is earlier than the determined date of eligibility; or

(5) Fails to determine the availability of or fails to data enter third-party resource information in the state eligibility information system; or

(6) Terminates a case or individual after the Medicaid ID card has been issued; or

(7) Issues a county-typed Medicaid ID card that has erroneous dates of eligibility; or

(8) Fails to initiate application for Medicare Part B ~~coverage~~ for a ~~recipients~~ recipient who is deceased or who is physically or mentally unable to apply for themselves and there is no responsible family member (or relative) to assist; ~~are eligible, but refuse or are unable to apply for themselves;~~ or

(9) Takes any other action that requires payment of Medicaid claims for an ineligible individual, for ineligible dates or in an amount that includes a recipient's liability and for which the state cannot claim federal participation.

(c) The amounts to be charged back to the county department of social services for erroneous payments of claims shall be the state and federal shares of the erroneous payment, not to exceed the lesser of the amount of actual error or claims payment.

Authority G.S. 108A-54; 42 C.F.R. 433.32; 42 C.F.R. 435.904.

SUBCHAPTER 50B - ELIGIBILITY DETERMINATION

SECTION .0200 - APPLICATION PROCESS

.0202 INITIAL INTERVIEW

(a) The county department of social services shall conduct an interview with the client or his representative. The client may have any person or persons of his choice participate in the interview. During the interview, the Income Maintenance Caseworker shall explain the application process, the client's rights and responsibilities, the programs of public assistance and the eligibility conditions.

(b) The applicant shall be advised of his right to apply in more than one program category for which he qualifies and the advantages and disadvantages of the choices shall be explained.

(c) The client shall be informed of the following:

(1) That information he provides shall be checked for accuracy. The client shall be told what information he shall provide, and what sources the agency shall contact to check the information. Collateral sources of information shall include knowledgeable individuals, business organizations, public records, and documentary evidence. If the client does not wish necessary collateral contacts to be made, he can withdraw his application. If he denies permission to contact necessary collaterals and all alternative sources of verification, the application shall be denied due to failure to cooperate in establishing eligibility.

(2) The client has the right to:

(A) Receive assistance if found eligible;

(B) Be protected against discrimination on the grounds of race, creed, or national origin by Title VI of the Civil Rights Act of 1964. He may appeal such discrimination;

(C) If eligible for Medicaid and entitled to Medicare Part A and B, have the monthly ~~premium~~ premiums and coinsurance/deductible paid ~~in~~ on his behalf in accordance with federal statutes; ~~under an agreement between the state and SSA;~~

(D) Have any information given to the agency kept in confidence;

(E) Appeal, if he believes the agency's action to deny, change, or terminate assistance is incorrect, or his request is not acted on with reasonable promptness;

(F) Reapply at any time, if found ineligible;

(G) Withdraw from the program at any time;

(H) Request the agency's help in obtaining third party information which he is responsible to provide;

(I) Be informed of all alternative sources of verification for the information he is responsible to provide.

(3) The client shall be responsible for the following:

(A) Provide the county department, state and federal officials, the necessary sources from which to locate and obtain information needed to determine eligibility;

(B) Report to the county department of social services any change in situation that may affect eligibility within 10 days after it happens. The meaning of fraud shall be explained. The applicant shall be informed that he may be suspected of fraud if he fails to report a change in situation and that in such situations, he may have to repay assistance received in error and that he may also be tried by the courts for fraud;

(C) Inform the county department of social services of any persons or organization against whom he has a right to recovery. When he accepts medical assistance, the applicant assigns his rights to third party insurance benefits to the state. He shall be informed that it is a misdemeanor to fail to disclose the identity of any person or organization against whom he has a right to recovery;

(D) Immediately report to the county department the receipt of an I.D. card which he knows to be erroneous. If he does not report such and uses the I.D. card, he may be required to repay any medical expenses paid in error.

Authority G.S. 108A-25(b); 108A-57; 42 C.F.R. 431.625; 42 C.F.R. 433, Subpart D; 42 C.F.R. 435.908; Alexander v. Flaherty, U.S.D.C., W.D.N.C., Social Security Act 1903(b)(1) File No. C-C-74-183, Consent Order Filed 15 December 1989; Alexander v. Flaherty Consent Order filed February 14, 1992.

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Notice is hereby given in accordance with G.S. 150B-21.2 that the DHHS-Division of Medical Assistance intends to amend the rule cited as 10 NCAC 26H .0401. Notice of Rule-making Proceedings was published in the Register on October 15, 1997.

Proposed Effective Date: *April 1, 1999*

A Public Hearing *will be conducted at 1:30 p.m on May 18, 1998 at 1985 Umstead Drive, Kirby Building, Room 132, Raleigh, NC..*

Reason for Proposed Action: *To cap physician allowable amounts not to exceed the Medicare allowable amount for the same or similar services, or if the fee may exceed the Medicaid fees for similar services, or if the fee is too high in relation, to the skills, time and other resources required to provide the particular service.*

Comment Procedures: *Written comments concerning this rule-making action must be submitted by June 1, 1998 to Portia W. Rochelle, Rule-making Coordinator, Division of Medical Assistance, 1985 Umstead Drive, Raleigh, NC 27603.*

Fiscal Note: *This Rule does affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars ($5,000,000) in a 12-month period.*

SUBCHAPTER 26H - LIMITATIONS ON AMOUNT: DURATION: AND SCOPE

SECTION .0400 - PROVIDER FEE SCHEDULES

.0401 PHYSICIAN'S FEE SCHEDULE

(a) Effective January 1, 1995, (see Paragraph (b) of this Rule) physicians' services whether furnished in the office, the patient's home, a hospital, a nursing facility or elsewhere will be reimbursed based on the North Carolina Medicaid Fee Schedule, except for payments to the various Medical Faculty Practice Plans of the University of North Carolina-Chapel Hill and East Carolina University which will be reimbursed at cost and cost settled at year end. The North Carolina Medicaid Fee Schedule is based on the Medicare Fee Schedule Resource Based Relative Value System (RBRVS), in effect in fiscal year 1993 (as adopted by Medicare at 56 F.R. 59501 (November 25, 1991, effective January 1, 1992, applicable to services furnished beginning January 1, 1992), but with the following clarifications and modifications:

(1) A maximum fee is established for each service and is applicable to all specialties and settings in which the service is rendered. Payment is equal to the lower of the maximum fee or the provider's customary charge to the general public for the particular service rendered.

(2) Fees are established on a statewide basis using the Medicare Geographic Practice Cost Indices for ~~the~~ North Carolina.

(3) There will be no transition period in applying the Medicaid fees whereas Medicare has a five year phase-in period.

(4) Annual ~~Changes~~ changes in the Medicaid payments will be applied each January 1 and fee increases will be applied based on the forecasted Gross National Product (GNP) Implicit Price Deflator. Said annual changes in the Medicaid payments shall not exceed the percentage increase granted by the North Carolina General Assembly.

(5) Fees for services deemed to be associated with adequacy of access to health care services may be increased based on administrative review. The service must be essential to the health needs of the Medicaid recipients, no other comparable treatment available and a fee adjustment must be necessary to maintain physician participation at a level adequate to meet the needs of Medicaid recipients. A fee may also be decreased based on administrative review if it is determined that the fee may exceed the Medicare

allowable amount for the same or similar services, or if the fee is higher than Medicaid fees for similar services, or if the fee is too high in relation to the skills, time, and other resources required to provide the particular service.

(6) Fees for new services are established based on this Rule, utilizing the most recent RBRVS, if applicable. If there is no relative value unit (RVU) available from Medicare, fees will be established based on the fees for similar services. If there is no RVU or similar service, the fee will be set at 75 percent of the provider's customary charge to the general public.

(b) This reimbursement limitation shall become effective in accordance with the provisions of G.S. 108A-55(c).

Authority G.S. 108A-25(b); S.L. 1985, c. 479, s. 86.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

***Notice** is hereby given in accordance with G.S. 150B-21.2 that the DENR-Environmental Management Commission intends to amend the rule cited as 15A NCAC 2B .0308. Notice of Rule-making Proceedings was published in the Register on December 15, 1997.*

Proposed Effective Date: *April 1, 1999*

A Public Hearing *will be conducted at 7:00 p.m. on May 28, 1998 at McDowell County Courthouse, 1 South Main Street, Marion, NC.*

Reason for Proposed Action: *McDowell County officials have requested that the Division of Water Quality (DWQ) remove the WS-II water supply classification from Armstrong Creek and its tributaries. Armstrong Creek was used by Coats American as a source for process water and drinking water for its employees. The company switched to well water in October, 1997 for their drinking water supply source. Armstrong Creek, and all tributary streams to Armstrong Creek, are recommended for reclassification from Classes WS (Water Supply)-II, WS-II CA (Critical Area), WS-II Tr (Trout), and C Tr to Classes C HQW (High Quality Waters) and C Tr HQW. The criteria for designation to High Quality Waters as defined in 15A NCAC 2B .0201 includes those waters which are rated as excellent based on biological and physical chemical characteristics through DWQ monitoring or special studies, native and special native trout waters designated by the Wildlife Resources Commission, primary nursery areas designated by the Marine Fisheries Commission and other functional nursery areas designated by the Wildlife Resources Commission, critical habitat areas designated by the Wildlife Resources Commission or the Department of Agriculture, all water supply watersheds which are either classified as WS-I or WS-II or those for which a formal petition for reclassification as WS-I or WS-II has been received from the appropriate local government and accepted by the Division of Water Quality, and all Class SA waters. Under the current WS-II classification, Armstrong Creek and its tributaries are considered to be HQW by definition. In addition, studies conducted by DWQ show that Armstrong Creek has excellent water quality and therefore qualifies for HQW status upon removal of the water supply classification. The current WS-II classification allows for general wastewater discharge permits only. If Armstrong Creek and its tributaries are reclassified to include the supplemental HQW classification, domestic and industrial wastewater discharges would be allowed. New or expanding wastewater dischargers to HQWs have more stringent treatment requirements than dischargers to Class C waters. Wastewater discharges from new single family residences would not be permitted. Under the current WS-II classification, development is limited to one dwelling unit (du) per two acres in the Critical Area (CA) and 1 du per acre in the balance of the watershed. Thirty foot stream buffers are required. A high density option requiring stormwater controls and 100 foot buffers allows for development up to 24% built upon area in the CA and up to 30% built upon area in the balance of the watershed. If reclassified to HQW, development would be permitted at 1 du per acre under the low density option and thirty foot buffers would be required. The HQW high density option (with stormwater controls) does not specify an upper limit on development density, nor does it require buffers along streams.*

Comment Procedures: *The purpose of this announcement is to encourage those interested in this proposal to provide comments. You may either attend the public hearing and make relevant verbal comments or submit written comments, data or other relevant information by June 28, 1998. The Hearing Officer may limit the length of time that you may speak at the public hearing, if necessary, so that all those who wish to speak may have an opportunity to do so. We encourage you to submit written comments as well. The Environmental Management Commission (EMC) is very interested in all comments pertaining to the proposed reclassification. It is very important that all interested and potentially affected persons or parties make their views known to the EMC whether in favor of or opposed to any and all provisions of the proposed reclassification. The EMC may not adopt a rule that differs substantially from the text of the proposed rule published in the North Carolina Register unless the EMC publishes the text of the proposed different rule and accepts comments on the new text [see 150B-21.2(g)]. All interested and potentially affected persons are strongly encouraged to read the entire announcement and supporting information, and make appropriate comments on the proposal. Contact Liz Kovasckitz, DENR, Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535, (919)733-5083, ext. 572.*

Fiscal Note: *This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars ($5,000,000) in a 12-month period.*

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

SECTION .0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

[Note: Text shown in bold type has been approved by the Rules Review Commission at their January, 1998 (Paragraph k) and February, 1998 (Paragraph l) meetings and is pending the 1998 Legislative Session. Text shown in *italics* was previously published in the 12:19 NC Register.]

.0308 CATAWBA RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Alexander County
Avery County
Burke County
Caldwell County
Catawba County
Gaston County
Iredell County
Lincoln County
McDowell County
Mecklenburg County
Union County
Watauga County

(2) North Carolina Department of **Environment** and Natural Resources:

(A) Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina

(B) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.

(b) Unnamed Streams. Such streams entering South Carolina are classified "**C.**"

(c) The Catawba River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) March 1, 1977;
(2) August 12, 1979;
(3) April 1, 1982;
(4) January 1, 1985;
(5) August 1, 1985;
(6) February 1, 1986;
(7) March 1, 1989;
(8) May 1, 1989;
(9) March 1, 1990;
(10) August 1, 1990;
(11) August 3, 1992;
(12) April 1, 1994;
(13) July 1, 1995;
(14) September 1, 1996;
(15) August 1, 1998;
(16) April 1, 1999.

(d) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1989 as follows:

(1) Wilson Creek (Index No. 11-38-34) and all tributary waters were reclassified from Class B-trout and Class C-trout to Class B-trout ORW and Class C-trout ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective May 1, 1989 as follows:

(1) Henry Fork [Index Nos. 11-129-1-(1) and 11-129-1-(2)] from source to Laurel Creek, including all tributaries, were reclassified from Class WS-I, C and C trout to Class WS-I ORW, C ORW and C trout ORW, except Ivy Creek and Rock Creek which will remain Class C trout and Class C.

(2) Jacob Fork [Index Nos. 11-129-2-(1) and 11-129-2-(4)] from source to Camp Creek, including all tributaries, were reclassified from Class WS-III trout and WS-III to WS-III trout ORW and WS-III ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1990 as follows:

(1) Upper Creek [Index No. 11-35-2-(1)] from source to Timbered Branch including all tributaries except Timbered Branch (Index No. 11-35-2-9) was reclassified from Class C Trout to Class C Trout ORW.

(2) Steels Creek [Index No. 11-35-2-12(1)] from source to Little Fork and all tributaries was reclassified from Class C Trout to Class C Trout ORW.

(g) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective April 1, 1994 as follows:

(1) Friday Lake (Index No. 11-125.5) from its source to Little Paw Creek was reclassified from Class C to Class B.

(2) The Linville River [Index No. 12-29-(1)] from Grandmother Creek to Linville Falls was reclassified from Class C Tr to Class B Tr.

(i) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective July 1, 1995 with the reclassification of Clark Creek from a

point 0.6 mile downstream of Catawba County SR 2014 to 0.4 mile upstream of Larkard Creek [Index No. 11-129-5-(4.5)], and Howards Creek from its source to 0.7 mile upstream of Lincoln County State Road 1200 [Index No. 11-129-4], including associated tributaries from Class WS-IV to Classes C and WS-IV.

(j) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective September 1, 1996 as follows:

(1) North Fork Catawba River [Index No. 11-24-(1)] from Laurel Branch to Armstrong Creek from Class C Tr to Class B Tr; and

(2) Catawba River (Lake Hickory) from Rhodhiss dam to highway 321 ~~;~~ [Index No. 11-(51)] from Class WS-IVCA to Class WS-IV&B CA.

(k) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the South Fork Catawba River [Index No. 11-129-(0.5)] and Hoyle Creek [Index No. 11-129-15-(1)] from Class WS-IV to Class WS-V.

(l) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 as follows:

(1) Mill Creek [Index No. 11-7] from its source to Swannanoa Creek, including all tributaries, from Class C Tr to Class C Tr HQW; and

(2) Toms Creek [Index Nos. 11-21-(1) and 11-21-(2)] from its source to Harris Creek, including all tributaries, from Class C Tr to Class C Tr HQW and from Harris Creek to McDowell County SR 1434, including all tributaries, from Class C to Class C HQW.

(m) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective April 1, 1999 with the reclassification of a portion of the Catawba River [Index Nos. 11-(27.5) and 11-(31)] from Class WS-IV & B and WS-IV to Class WS-V & B and WS-V.

(n) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective April 1, 1999 with the reclassification of Armstrong Creek [Index Nos. 11-24-14-(1), 11-24-14-(13.5) and 11-24-14-(14)], and all tributaries from Classes WS-II Tr, WS-II, WS-II CA and C Tr to Classes C Tr HQW and C HQW.

Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1).

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 32 - BOARD OF MEDICAL EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Medical Board intends to amend the rule cited as 21 NCAC 32F .0003. Notice of Rule-making Proceedings was published in the Register on January 15, 1998.

Proposed Effective Date: *April 1, 1999*

A Public Hearing *will be conducted at 4:00 p.m. on May 13, 1998 at the North Carolina Medical Board, 1201 Front Street, Raleigh, NC.*

Reason for Proposed Action: *Compliance with 1997 N.C. Session Laws which state registration fee is to be paid annually on each physician's birthday, effective January 1, 1998.*

Comment Procedures: *Comments may be mailed to the Rule-making Coordinator, Helen D. Meelheim at the N.C. Medical Board, P.O. Box 20007, Raleigh, NC 27619, (919)833-5583, ext. 25. Verbal comments may be presented at public hearing.*

Fiscal Note: *This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars ($5,000,000) in a 12-month period.*

SUBCHAPTER 32F - ANNUAL REGISTRATION

.0003 FEE

Each physician shall pay ~~a biennial~~ a registration fee of ~~two~~ one hundred dollars (~~$200.00~~) ($100.00) to the Board every ~~odd numbered~~ year in accordance with G.S. 90-15.1; except, each physician holding a resident's training license shall pay ~~a biennial~~ a fee of ~~twenty-five~~ fifteen dollars (~~$25.00~~) ($15.00), every physician who holds a special volunteer license shall pay a fee of ten dollars ($10.00), and every physician who holds a limited volunteer license shall pay no fee.

Authority G.S. 90-18(13); 90-18.1.

The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Rule-making Agency: *Commission for Health Services*

Rule Citation: *15 NCAC 18A .1601; .1611; .1720*

Effective Date: *April 9, 1998*

Findings Reviewed and Approved by: *Julian Mann, III*

Authority for the rule-making: *G.S. 95-225; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257*

Reason for Proposed Action: *The proposed amendments are being proposed as a temporary rule because the welfare of foster children is being unnecessarily jeopardized due to the current requirements being too restrictive for the approval of wells serving proposed family foster homes and other homes in which children are needing to be placed.*
The approval process for the licensing of a family foster home or a therapeutic foster home includes an inspection by the local health department. One aspect of this inspection includes an inspection of the water supply well (if one is used). Currently, if the well is located closer than 25 feet to the building foundation, or if the well was constructed after July 1, 1993, or is within 100 feet of a septic tank system, it is not in compliance with the rules and the home cannot be licensed as a family foster home or therapeutic home for children and adolescents. Recently there have been an increasing number of denials due to these reasons, which has brought this issue before the Joint Administrative Procedures Oversight Committee. The Committee formed a subcommittee to draft legislation to accomplish what these proposed rule amendments would accomplish. During the discussions, it was agreed that the Department would seek rule amendments to make licensing easier.
This rule is necessary as a temporary rule so that children needing to be placed in a foster home will not be unnecessarily denied. It is believed that if the proposed amendment is adopted, the health of the children will not be jeopardized in any respect.
Upon approval of the Codifier of Rules, these rules will become effective May 5, 1998. The rule will appear in the May 1, 1998, NC Register.

Comment Procedures: *Comments should be made to Mr. Malcolm Blalock at PO Box 29596, Raleigh, NC 27626-0596 or email at Malcolm_Blalock@mail.enr.state.nc.us.*

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .1600 - SANITATION OF RESIDENTIAL CARE FACILITIES

.1601 Definitions

The following definitions shall apply throughout this Section:

(1) "Department of Environment, Health, and Natural Resources" means the Secretary, or his authorized representative.

(2) "Director" means the State Health Director.

(3) "Foster Care" means the care of individuals as defined in G.S. 131D-10.2(9).

(4) "Family foster home" means a facility as defined in G.S. 131D-10.2(8).

(5) "Manager" means the person in responsible charge of a residential care facility.

(6) "Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including Clostridium botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less.

(7) "Private residence regulated by these Rules" means a single family residence at which individuals are provided room or board and for which a license to operate is required to be obtained or a certificate for payment is obtained from the Department of Health and Human Services.

(8)~~(7)~~ "Residential care facility" means an establishment providing room or board and for which a license or certificate for payment is obtained from the Department of Human Resources. However, the term shall not include a child day care facility or an institution as defined in 15A NCAC 18A .1300.

(9)~~(8)~~ "Resident" means a person, other than the manager, his immediate family, and staff, residing in a residential care facility.

(10)~~(9)~~ "Sanitarian" means a person authorized to represent the Department on the local or state level in making inspections pursuant to state laws and rules.

(11)~~(10)~~ "Sanitize" means the approved bactericidal treatment by a process which meets the temperature and chemical concentration levels in 15A NCAC 18A .2619.

History Note: Authority G.S. 130A-235;
Eff. February 1, 1976;
Readopted Eff. December 5, 1977;

Amended Eff. July 1, 1993; September 1, 1990; March 1, 1988; July 1, 1984; Temporary Amendment Eff. May 5, 1998.

.1611 WATER SUPPLY

(a) Water supplies shall meet the requirements in 15A NCAC 18A .1700.

(b) At least once a year, ~~a sample~~ samples of water shall be collected by the Department and submitted to the ~~Division of Laboratory Services~~ North Carolina State Laboratory of Public Health or other laboratory certified by the Department to perform ~~bacteriological examinations.~~ examinations for nitrates and bacteria. However if the supply serves a family foster home or a private residence regulated by these Rules and the well is located at least 10 feet but less than 25 feet from a building foundation, the well shall be sampled for pesticides, nitrates, and bacteria upon application for licensure or approval. After the initial pesticide sample is collected and analyzed, the well shall be sampled again for pesticides following any treatment for structural pests.

(c) No backflow connections or cross connections with unapproved supplies shall exist.

(d) Adequate hot water heating facilities shall be provided. Hot and cold running water under pressure shall be provided to food preparation areas and any other areas in which water is required for cleaning.

History Note: Authority G.S. 95-225; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257; Eff. September 1, 1990; Amended Eff. May 1, 1990; July 1, 1993; Temporary Amendment Eff. May 5, 1998.

SECTION .1700 - PROTECTION OF WATER SUPPLIES

.1720 WATER SUPPLIES

(a) A water supply for which requirements are established in this Subchapter, shall be from a community water supply regulated pursuant to 15A NCAC 18C or from a supply located, constructed, maintained, and operated in accordance with this Section.

(b) The requirements found in Rules .1720(c) through .1728 of this Section shall not apply to community water supplies.

(c) The following setback requirements shall apply:

(1) A well shall not be located in an area propensity for flooding. Areas which have a propensity for flooding include those with concave slope, alluvial or colluvial soils, gullies, depressions or drainage ways.

(2) A well constructed on or after July 1, 1993 shall be located at a minimum horizontal distance from:

(A) Septic tank or nitrification field; ~~100 ft.~~
- (i) for a facility other than a Family Foster Home or a private residence regulated by 15A NCAC 18A .1600; 100 ft.
- (ii) for a Family Foster Home or for a private residence regulated by 15A NCAC 18A.1600; 50 ft.

(B) Other subsurface ground absorption waste disposal; ~~100 ft.~~
- (i) for a facility other than a Family Foster Home or a private residence regulated by 15A NCAC 18A .1600; 100 ft.
- (ii) for a Family Foster Home or for a private residence regulated by 15A NCAC 18A .1600; 50 ft.

(C) Industrial or municipal sludge spreading or wastewater irrigation site; 100 ft.

(D) Watertight sewage or liquid-waste collection or transfer facility; 50 ft.

(E) Other sewage or liquid-waste collection or transfer facility; 100 ft.

(F) Animal feedlot or manure pile; 100 ft.

(G) Fertilizer, pesticide, herbicide or other chemical storage area; 100 ft.

(H) Non-hazardous waste storage, treatment or disposal lagoon; 100 ft.

(I) Sanitary landfill; 500 ft.

(J) Other non-hazardous solid waste landfill; 100 ft.

(K) Animal barn; 100 ft.

(L) Building foundation; ~~50 ft.~~
- (i) for a facility other than a Family Foster Home or a private residence regulated by 15A NCAC 18A .1600; 50 ft.
- (ii) for a Family Foster Home or for a private residence regulated by 15A NCAC 18A .1600; 10 ft.

(M) Surface water body; 50 ft.

(N) Chemical or petroleum fuel underground storage tank regulated under 15A NCAC 2N:
- (i) with secondary containment; 50 ft.
- (ii) without secondary containment; 100 ft.

(O) Any other source of groundwater contamination. 100 ft.

(3) For a well constructed prior to July 1, 1993, the minimum horizontal distances specified in Parts (C)(2)(A), (B), (D), and (L) of this Rule shall be reduced to no less than the following:

(A) Septic tank or nitrification field; 50 ft.

(B) Other subsurface ground absorption waste disposal system; 50 ft.

(C) Water-tight sewage or liquid-waste collection or transfer facility; 25 ft.

(D) Building foundation. 25 ft.

(4) A well constructed prior to July 1, 1993 serving an establishment regulated under 15A NCAC 18A in operation prior to July 1, 1993 shall be required to meet only the following minimum horizontal distance requirements:

(A) Septic tank or nitrification field; 50 ft.

(B) Other subsurface ground absorption waste disposal system. 50 ft.

(5) An owner, licensee or permittee shall not place or have placed a new source of contamination within the minimum horizontal distances in Subparagraphs

(c)(1)-(4) of this Rule.

(6) If different minimum horizontal distances requirements are set by the Division of Environmental Management pursuant to 15A NCAC 2C .0118 and .0119, those minimum horizontal distance requirements shall be used. The owner, licensee or permittees shall provide a written copy of the adjusted minimum horizontal distance requirements from the Division of Environmental Management to the local health department.

History Note: Authority G.S. 95-225; 130A-5(3); 130A-230; 130A-235; 130A-236; 130A-248; 130A-257;
Eff. September 1, 1990;
Amended Eff. May 1, 1996; July 1, 1993;
Temporary Amendment Eff. May 5, 1998; March 1, 1998.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 11 - BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS

Rule-making Agency: *NC Board of Employee Assistance Professionals*

Rule Citation: *21 NCAC 11 .0101 - .0112*

Effective Date: *May 5, 1998*

Findings Reviewed and Approved by: *Julian Mann*

Authority for the rule-making: *G.S. 90-509*

Reason for Proposed Action: *The NC Board of Employee Assistance Professionals is required to promulgate rules to provide procedures for and areas of responsibility for individuals who apply to become licensed Employee Assistance Professionals as set forth in G.S. 90-500.*

Comment Procedures: *Written comments should be submitted to Charlotte F. Hall, Division of MH/DD/SAS, 325 N. Salisbury St., Raleigh, NC 27603-5906.*

SECTION .0100 - ADMINISTRATION

.0101 SCOPE

(a) This Subchapter sets forth rules for the North Carolina Board of Employee Assistance Professionals.

(b) The mailing address of the Board is PO Box 10344, Raleigh, North Carolina 27605-0344.

History Note: Authority G.S. 90-509;
Temporary Adoption Eff. May 5, 1998.

.0102 COMPOSITION OF BOARD MEMBERS

(a) Board members shall be appointed in accordance with G.S. 90-501 and may serve successive annual terms as either Chair or Secretary.

(b) A Chair and a Secretary shall be elected at the first meeting of each calendar year.

History Note: Authority G.S. 90-501; 90-511;
Temporary Adoption Eff. May 5, 1998.

.0103 BOARD MEETINGS

(a) Board meetings shall be held quarterly.

(b) The Board Chair may call special meetings as necessary to conduct business.

(c) Board meetings shall be noticed in accordance with the Open Meetings Law set forth in G.S. 143-318.12 Public Notice of Official Meetings.

History Note: Authority G.S. 90-501; 143-318.12;
Temporary Adoption Eff. May 5, 1998.

.0104 LICENSE APPLICATION

(a) The Board shall prescribe the forms to be used for submitting an application for initial or renewal licensure.

(b) An application shall not be considered complete unless it is submitted using the prescribed form and the unless the Board has received the application fee.

(c) Specific information contained in both the initial and renewal applications shall be deemed confidential as prescribed by the Board.

(d) Both an initial and renewal license are valid for a period of three years.

History Note: Authority G.S. 90-503;
Temporary Adoption Eff. May 5, 1998.

.0105 TRANSCRIPTS AND OTHER SUPPORTING DOCUMENTS

(a) Official educational transcripts submitted to support an application for licensure shall be received by the Board directly from the educational institution.

(b) Transcript course titles which are ambiguous and do not convey the content of courses shall require an applicant to provide other documents and information to support claimed educational credentials. Such documents may be official catalog descriptions, course syllabi, reading lists, term papers, theses and written research.

(c) A current copy of an applicant's certification by the Employee Assistance Certification Commission, as an employee assistance professional, shall be submitted with the application.

History Note: Authority G.S. 90-503;
Temporary Adoption Eff. May 5, 1998.

.0106 REVIEW OF APPLICATIONS

(a) The Board shall review each completed initial application for licensure and issue a license to an applicant who meets the requirements for licensure.

(b) The Board shall review each completed application for

renewal of licensure and issue a renewal license to an applicant who meets the requirements for renewal.

(c) Upon application for an initial or renewal license, the Board shall ensure that each applicant agrees, in writing, to comply with the Employee Assistance Certification Commission Code of Professional Conduct and the Employee Assistance Professional Association Code of Ethics.

History Note: Authority G.S. 90-505;
Temporary Adoption Eff. May 5, 1998.

.0107 NOTICE OF DENIAL OF INITIAL OR RENEWAL APPLICATION

(a) The Board shall notify each applicant, in writing, of the reason for which an application for initial licensure or renewal of licensure was denied.

(b) The applicant shall have the right to file a petition for a contested case hearing in accordance with G.S. 150B, Article 3.

History Note: Authority G.S. 90-505; 150B, Article 3;
Temporary Adoption Eff. May 5, 1998.

.0108 DISCIPLINARY ACTION/HEARING

(a) The Board shall impose reasonable discipline for conduct it finds in violation of G.S. 90-509, only after conducting a hearing in accordance with G.S. 150B, Article 3.

(b) Board disciplinary action may include:

(1) admonishment: a serious warning for mild misconduct;

(2) reprimand: a public rebuke and sanction for misconduct, which may require follow-up actions by the licensee;

(3) suspension: withdrawal of the privilege of using the title of Licensed Employee Assistance Professional during the time frame specified by the Board; and

(4) revocation: permanent withdrawal of the privilege of using the title of Licensed Employee Assistance Professional. A Licensed Employee Assistance Professional whose license is revoked by the Board must surrender the license certificate to the Board;

(c) Any disciplinary action may be suspended for a reasonable period not to exceed one year upon such terms and conditions as the Board deems appropriate, if in the sole discretion of the Board, it is in the best public interest to do so.

(d) The Board deems disciplinary action to be those terms stated.

(e) Notification of final disciplinary action shall be made to the Employee Assistance Professionals Association and the Employee Assistance Certification Commission, within 30 days of the final action taken by the Board.

History Note: Authority G.S. 90-506; 150B, Article 3;
Temporary Adoption Eff. May 5, 1998.

.0109 CURRICULA AND MINIMUM STANDARDS FOR TRAINING

The Board shall adopt and incorporate by reference the minimum continuing education requirements of the Employee Assistance Certification Commission. This referenced material shall include any subsequent editions and amendments. It may be obtained from the EACC/Certification Department/EAPA, 2101 Wilson Blvd., Suite 500, Arlington, Virginia 22201-3022. Cost of the documents vary.

History Note: Authority G.S. 90-500;
Temporary Adoption Eff. May 5, 1998.

.0110 ETHICAL STANDARDS

(a) The Board shall adopt and incorporate by reference the Code of Professional Conduct for Certified Employee Assistance Professionals, Fourth Edition. This referenced material shall include any editions and amendments promulgated by the Employee Assistance Certification Commission.

(b) The Board shall also adopt and incorporates by reference the Employee Assistance Professionals Association Code of Ethics. This referenced material shall include any subsequent editions and amendments. It may be obtained at no cost from the EACC/Certification Department/EAPA, 2101 Wilson Blvd., Suite 500, Arlington, Virginia 22201-3022.

History Note: Authority G.S. 90-500;
Temporary Adoption Eff. May 5, 1998.

.0111 FEES

(a) Upon submission of an application for initial licensure, a fee of one hundred dollars ($100.00) shall be paid to the Board.

(b) A fee of seventy-five dollars ($75.00) shall be paid to the Board for renewal of license.

(c) Neither an initial or a renewal application shall be considered complete until the required fee is paid.

History Note: Authority G.S. 90-503;
Temporary Adoption Eff. May 5, 1998.

.0112 PENALTIES

In accordance with G.S. 90-506 and 90-509, when requested, the Board shall review its assessment of a civil penalty against an individual in a contested case hearing as set forth in G.S. 150B, Article 3.

History Note: Authority G.S. 90-506; 90-509; 150B, Article 3;
Temporary Adoption Eff. May 5, 1998.

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of January 15, 1998 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an * in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

These rules unless otherwise noted, will become effective on the 31st legislative day of the 1998 Short Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.

APPROVED RULE CITATION				REGISTER CITATION TO THE NOTICE OF TEXT
10	NCAC	01B	.0501*	12:09 NCR 747
10	NCAC	03D	.0801*	12:05 NCR 339
10	NCAC	03D	.0802 - .0803	12:05 NCR 340
10	NCAC	03D	.0805*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
10	NCAC	03D	.0806	12:05 NCR 340
10	NCAC	03D	.0901 - .0902	12:05 NCR 340
10	NCAC	03D	.0904*	12:05 NCR 340
10	NCAC	03D	.0905	12:05 NCR 340
10	NCAC	03D	.0907 - .0909	12:05 NCR 341
10	NCAC	03D	.0911	12:05 NCR 341
10	NCAC	03D	.0913*	12:05 NCR 341
10	NCAC	03D	.0917 - .0924	12:05 NCR 341
10	NCAC	03D	.0926	12:05 NCR 342
10	NCAC	03D	.1001*	12:05 NCR 342
10	NCAC	03D	.1002	12:05 NCR 346
10	NCAC	03D	.1003	12:05 NCR 346
10	NCAC	03D	.1004	12:05 NCR 347
10	NCAC	03D	.1103*	12:05 NCR 347
10	NCAC	03D	.1204 - .1206	12:05 NCR 348
10	NCAC	03M	.0105	12:06 NCR 459
10	NCAC	03M	.0205	12:06 NCR 459
10	NCAC	26H	.0213*	12:07 NCR 511
12	NCAC	10B	.0109*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.0403*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.0505*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.0601 - .0603*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.0701*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.1001 - .1002*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.1101 - .1102*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.1201 - .1202*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
12	NCAC	10B	.2001*Amended Eff. 2-1-98	not required, G.S. 150B-21.5(a)(2)
15A	NCAC	02B	.0202*	12:06 NCR 462
15A	NCAC	02B	.0236*	12:06 NCR 473
15A	NCAC	02B	.0240*	12:06 NCR 479
15A	NCAC	02B	.0304*	12:01 NCR 8
15A	NCAC	02B	.0306 - .0309*	12:01 NCR 10
15A	NCAC	02B	.0311*	12:01 NCR 14
15A	NCAC	02B	.0316 - .0317*	12:01 NCR 16
15A	NCAC	02D	.0101	12:04 NCR 270
15A	NCAC	02D	.0104 -.0105	12:04 NCR 272
15A	NCAC	02D	.0202	12:04 NCR 273
15A	NCAC	02D	.0302*	12:04 NCR 273

15A	NCAC	02D	.0531	12:04 NCR 274
15A	NCAC	02D	.0953*	12:04 NCR 276
15A	NCAC	02D	.1107	12:04 NCR 278
15A	NCAC	02D	.1204	12:04 NCR 278
15A	NCAC	02D	.1206	12:04 NCR 279
15A	NCAC	02D	.1305	12:04 NCR 280
15A	NCAC	02D	.1503	12:04 NCR 280
15A	NCAC	02D	.1603	12:04 NCR 281
15A	NCAC	02D	.1701 - .1707	12:04 NCR 281
15A	NCAC	02D	.1708 - .1709*	12:04 NCR 283
15A	NCAC	02D	.1710	12:04 NCR 284
15A	NCAC	02D	.1902*	12:04 NCR 284
15A	NCAC	02D	.1903	12:04 NCR 285
15A	NCAC	02Q	.0103	12:04 NCR 286
15A	NCAC	02Q	.0108	12:04 NCR 288
15A	NCAC	02Q	.0207	12:04 NCR 288
15A	NCAC	02Q	.0307	12:04 NCR 289
15A	NCAC	02Q	.0521	12:04 NCR 289
15A	NCAC	02Q	.0805 - .0807	12:04 NCR 290
15A	NCAC	03I	.0101	12:05 NCR 419
15A	NCAC	03J	.0103 - .0104	12:05 NCR 423
15A	NCAC	03J	.0208	12:05 NCR 424
15A	NCAC	03J	.0301	12:05 NCR 425
15A	NCAC	03M	.0503*	12:05 NCR 431
15A	NCAC	03M	.0506	12:05 NCR 425
15A	NCAC	03O	.0211*	12:05 NCR 426
15A	NCAC	07H	.1104*	11:11 NCR 917
15A	NCAC	07H	.1304*	11:11 NCR 920
15A	NCAC	07H	.1404*	11:11 NCR 920
15A	NCAC	07H	.1504*	11:11 NCR 920
15A	NCAC	07H	.1704*	11:11 NCR 921
15A	NCAC	07H	.1804*	11:11 NCR 921
15A	NCAC	07H	.1904*	11:11 NCR 922
15A	NCAC	07H	.2004*	11:11 NCR 922
15A	NCAC	07H	.2104*	11:11 NCR 923
15A	NCAC	10F	.0311	12:07 NCR 517
15A	NCAC	10F	.0333*	12:07 NCR 517
15A	NCAC	10F	.0360	12:07 NCR 517
15A	NCAC	11	.0104	12:09 NCR 749
15A	NCAC	11	.0117	12:09 NCR 758
15A	NCAC	11	.0301	12:09 NCR 759
15A	NCAC	11	.0339*	12:09 NCR 759
15A	NCAC	11	.0340	12:09 NCR 762
15A	NCAC	11	.0353	12:09 NCR 762
15A	NCAC	11	.0358	12:09 NCR 763
15A	NCAC	11	.0401 - .0428	12:09 NCR 764
15A	NCAC	11	.1601	12:09 NCR 793
15A	NCAC	11	.1603*	12:09 NCR 793
15A	NCAC	11	.1611	12:09 NCR 793
15A	NCAC	11	.1620	12:09 NCR 794
15A	NCAC	11	.1647	12:09 NCR 795
15A	NCAC	18A	.2305*	12:07 NCR 521
15A	NCAC	18A	.2307	12:07 NCR 522
15A	NCAC	18A	.2310	12:07 NCR 523
15A	NCAC	18A	.2601*	12:08 NCR 697
15A	NCAC	18A	.2602	12:08 NCR 698
15A	NCAC	18A	.2603 - .2604*	12:08 NCR 699
15A	NCAC	18A	.2605	12:08 NCR 699

15A	NCAC	18A	.2606 - .2610*	12:08 NCR 700
15A	NCAC	18A	.2612*	12:08 NCR 702
15A	NCAC	18A	.2613 - .2616	12:08 NCR 703
15A	NCAC	18A	.2617 - .2618*	12:08 NCR 704
15A	NCAC	18A	.2620	12:08 NCR 705
15A	NCAC	18A	.2621*	12:08 NCR 706
15A	NCAC	18A	.2622	12:08 NCR 706
15A	NCAC	18A	.2623*	12:08 NCR 706
15A	NCAC	18A	.2624	12:08 NCR 706
15A	NCAC	18A	.2626	12:08 NCR 707
15A	NCAC	18A	.2627 - .2628*	12:08 NCR 707
15A	NCAC	18A	.2630	12:08 NCR 707
15A	NCAC	18A	.2632 - .2633*	12:08 NCR 708
15A	NCAC	18A	.2638*	12:08 NCR 708
15A	NCAC	18A	.2643*	12:08 NCR 709
21	NCAC	64	.0209	12:05 NCR 427
21	NCAC	64	.1001	12:05 NCR 427
21	NCAC	64	.1002*	12:05 NCR 427
21	NCAC	64	.1003	12:05 NCR 427
21	NCAC	64	.1004 - .1005*	12:05 NCR 427
23	NCAC	02C	.0108	12:09 NCR 803
23	NCAC	02C	.0202	12:09 NCR 803
23	NCAC	02C	.0207	12:09 NCR 804
23	NCAC	02C	.0305	12:09 NCR 804
23	NCAC	02C	.0604	12:09 NCR 805
23	NCAC	02C	.0701	12:09 NCR 805
23	NCAC	02D	.0103	12:09 NCR 806
23	NCAC	02D	.0201 - .0203*	12:09 NCR 806
23	NCAC	02D	.0323 - .0324	12:09 NCR 810
23	NCAC	02E	.0101 - .0102	12:09 NCR 815
23	NCAC	02E	.0201	12:09 NCR 818
23	NCAC	02E	.0203	12:09 NCR 818
23	NCAC	02E	.0204*	12:09 NCR 818
23	NCAC	02E	.0205*	12:09 NCR 825
23	NCAC	02E	.0501	12:09 NCR 826
23	NCAC	02E	.0604	12:09 NCR 826

TITLE 10 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHAPTER 1 - DEPARTMENTAL RULES

SUBCHAPTER 1B - PROCEDURE

SECTION .0500 - REIMBURSEMENT

.0501 RATE SETTING METHODS FOR FACILITIES THAT SERVE STATE/COUNTY SPECIAL ASSISTANCE RESIDENTS

(a) A rate for facilities which serve State/County Special Assistance residents shall be reviewed annually, and pending approval of the Legislature, shall be effective for dates of service for a 12 month period beginning each October 1. Rates are derived from submission of cost reports for the most recent 12 month period. The maximum rate shall be developed by ranking prior year per diem cost from the lowest to the highest in two separate arrays, one for direct cost and one for indirect cost. The per diem cost at the 75% percentile shall be used for the direct rate and the 60% percentile shall be used for the indirect rate. The maximum rate determined by this method may be adjusted as necessary to comply with federal or state laws or policies.

(b) The rate calculated in Paragraph (a) of this Rule shall include an annual adjustment to reflect increases or decreases in prices that are expected to occur from the cost report period on which the rates are developed to the year in which the rate applies. The price level adjustment factors shall be computed using aggregate base year cost in the following manner:

(1) Cost shall be accumulated into the following groups:
   (A) labor,
   (B) fixed,
   (C) other.

(2) The relative weight of each cost group shall be calculated to the second decimal point by dividing the total cost of each group (labor, fixed, and other) by the total cost.

(3) Price adjustment factors for each cost group shall be established as follows:
   (A) Labor. The percentage change for labor costs shall be based on the projected average hourly wage of North Carolina service workers as provided by the North Carolina Office of State Budget and Management.
   (B) Fixed. No adjustment shall be made for this category, thus making the factor zero.
   (C) Other. The expected annual change in the implicit price deflator for the Gross National Product as provided by the OSBM.
   (D) The weights computed in Subparagraph (b)(2) of this Rule shall be multiplied by the percentage change computed in Parts (b)(3)(A), (B) and (C) of this Rule.
   (E) The sum computed for each category in Part (b)(3)(D) of this Rule shall be the price level adjustment factor for the coming fiscal year.

History Note: Authority G.S. 131D-4.2(h); 143B-10; Eff. August 1, 1998.

CHAPTER 3 - FACILITY SERVICES

SUBCHAPTER 3D - RULES AND REGULATIONS GOVERNING AMBULANCE SERVICE AND TRAUMA SYSTEMS

SECTION .0800 - DEFINITIONS

.0801 AMBULANCE AND BASIC LIFE SUPPORT (BLS) PROFESSIONAL

(a) Definitions used in this Subchapter will be in accordance with those found in G.S. 131E-155 incorporated by reference including subsequent amendments and as follow.

(b) An ambulance must have a permit issued by the Department of Health and Human Services, Division of Facility Services, Office of Emergency Medical Services in one of the following categories:

(1) "Category I Ambulance" means an emergency ambulance used to transport patients with emergency traumatic or medical conditions or patients for which the need for emergency medical care is anticipated either at the scene of the emergency or enroute to a medical facility. Category I ambulances may be used to transport all types of patients.

(2) "Category II Ambulance" means an ambulance used solely to transport sick or infirm patients, having a known, non-emergency medical condition, on a scheduled basis between facilities or between a residence and a facility. Category II ambulances must not be used to transport patients defined under any other category of ambulance.

(3) "Category III Ambulance" means an emergency ambulance specifically designed and equipped to transfer critically ill patients from one medical facility to another or as ground support to a permitted air ambulance program. The patient care compartment of Category III ambulances must be staffed by appropriately certified or licensed personnel approved for the mission by the program medical director. Category III ambulances must be utilized as part of an organized critical care transport program and may not be used in place of any other category of ambulance defined in this Subchapter.

(4) "Category IV Ambulance" means an ambulance specifically designed and equipped to transport patients by air. The patient care compartment of Category IV ambulances must be staffed by appropriately certified or licensed personnel approved for the mission by the program medical director. Category IV ambulances must be operated as either:
   (A) Part of an approved mobile intensive care program and must comply with the criteria as outlined in 21 NCAC 32H; or
   (B) Part of an air ambulance program which complies with 21 NCAC 32H .1004.

(5) "Category V Ambulance" means a watercraft specifically designed and equipped to routinely transport patients.

(c) The term "Basic Life Support (BLS) professional" means a certified medical responder or emergency medical technician.

History Note: Authority G.S. 131E-157(a); 143-508; Eff. January 1, 1990; Amended Eff. August 1, 1998.

.0805 OFFICE OF EMERGENCY MEDICAL SERVICES

The term "Office of Emergency Medical Services" means a section of the Division of Facility Services of the North Carolina Department of Health and Human Services located at 701 Barbour Drive, Raleigh, North Carolina 27603.

History Note: Authority G.S. 131E-157(a); 131E-159(b); Eff. December 1, 1989; Amended Eff. February 1, 1998.

SECTION .0900 - VEHICLES

.0904 VEHICLE BODY

The ambulance shall not have structural or functional defects which may adversely affect the patient, the technicians, or the safe operation of the vehicle.

History Note: Authority G.S. 131E-157(a); Eff. December 1, 1989; Amended Eff. August 1, 1998.

.0913 PERMIT

(a) The ambulance permit must include the following information:
   (1) vehicle identification number;
   (2) permit number;
   (3) ambulance provider identification number;

(4) identification of inspector; and
(5) expiration date.

(b) No person shall display or cause to be displayed or permit to be displayed or to knowingly possess, transfer, remove, imitate, or reproduce an ambulance permit, except by direction of the Office of Emergency Medical Services.

(c) An ambulance shall be permitted in only one category.

(d) Any vehicle permitted as a Category I Ambulance must contain all equipment required in 10 NCAC 3D .1001(a), .1002, .1003(a), and .1103 of this Subchapter.

(e) Any vehicle permitted as a Category I Ambulance which operates as a Mobile Intensive Care Unit as defined in 10 NCAC 3M .0102, .0103, or .0107 must contain all equipment required in 10 NCAC 3M .0202, .0203, or .0207.

(f) Any vehicle permitted as a Category V Ambulance must contain all equipment required in Rules .1001(h), and .1003(e) of this Subchapter.

(g) Any vehicle permitted as a Category V Ambulance which operates as a Mobile Intensive Care Unit as defined in 10 NCAC 3M .0102, .0103, or .0107 must contain all equipment required in 10 NCAC 3M .0202, .0203, or .0207.

(h) Each licensed ambulance provider planning to operate permitted ambulances at an ALS level must first meet the minimum permitting requirements for BLS operation. The licensed ambulance provider must provide for inspection the number of ALS equipment/supplies/medications packages in accordance with the approved protocols for that provider. The licensed ambulance provider shall not, except in a disaster operate more permitted ambulances at an ALS level than the approved number of ALS packages.

History Note: Authority G.S. 131E-157(a); 143-508; Eff. December 1, 1989; Amended Eff. August 1, 1998; August 1, 1994.

SECTION .1000 - AMBULANCE EQUIPMENT

.1001 MEDICAL AND RELATED EQUIPMENT

(a) Except as allowed by .0913(e) and (h) of these Rules, category I ambulances for which permits are issued shall contain at least the following operational and functional equipment exclusive of personal equipment carried by emergency medical technicians and medical responders:

(1) One portable aspirator capable of a minimum vacuum of 300 millimeters of mercury and a minimum air flow rate of 16 liters per minute with rapid drawdown time. A minimum of three, single use, non-opaque, one piece, rigid suction instruments or appropriate replacement containers for manually operated devices and a suction rinsing water bottle must be supplied with either unit;

(2) One each portable squeeze bag ventilation unit (bag and mask) in adult, child, and infant sizes with transparent face mask capable of operation down to zero degrees fahrenheit and an attachment for oxygen hookup. A minimum of one transparent, flexible, disposable oxygen supply tube must be supplied with each unit;

(3) Six nonmetallic, oropharyngeal airways sanitarily stored together in separate sizes ranging from 55 millimeters through 115 millimeters;

(4) One portable oxygen unit consisting of the following components: 360 liter (D size) or larger oxygen cylinder; yoke regulator with cylinder contents gauge (2000 pounds per square inch) and gravity or non-gravity dependent flow gauge (0-12 liters per minute minimum); a minimum of three transparent, nasal cannulas in adult and child sizes; and a minimum of three each, adult and child, disposable, transparent, oxygen masks with delivery tubes and headband. A full spare cylinder (D size) or larger of oxygen for this unit shall be furnished and stored on the ambulance vehicle;

(5) Two small, two medium, and two large size adult extrication collars and two pediatric size extrication collars;

(6) One rigid short backboard. The minimum size must be 14 inches wide by 32 inches long. A stabilization device which is of the design to allow horizontal flexibility and vertical rigidity, equipped with chest and leg straps and accessories for stabilization of the head and neck may be substituted for the rigid short backboard;

(7) Two rigid long backboards a minimum of 16 inches wide by 72 inches long with two straps each for patient stabilization and other accessories for stabilization of the head and neck;

(8) Two each rigid padded board splints in the following sizes; 3 inches wide by 15 inches long, 3 inches wide by 3 feet long, and 3 inches wide by 4-1/2 feet long. Other splints, in kit form, of inflatable design or rigid laminated and high density polyurethane foam construction are acceptable. A kit must contain at least two full leg and two full arm splints;

(9) One child and one adult size lower extremity traction splint with appropriate attachments;

(10) Twelve 4 inch by 4 inch sterile gauze pads individually packaged;

(11) Six sterile 5 inch by 9 inch or larger absorbent dressings individually wrapped;

(12) Twelve rolls of roller gauze;

(13) Four rolls of adhesive tape;

(14) Two sterile nonadhering, nonporous dressings for an open chest wound. Minimum size shall be 3 inches by 8 inches;

(15) Six triangular bandages;

(16) One pair of bandage shears;

(17) Two burn sheets, minimum size of 40 inches by 72 inches;

(18) A total of 1000 cubic centimeters of sterile irrigating solution in plastic containers in addition to the fluids carried for intravenous use;

(19) One emesis basin, or sealable emesis container;

(20) One obstetrical kit containing gloves, scissors or surgical blades, umbilical cord clamps or tapes, dressings, towels, perinatal pad, a bulb syringe, and a

receiving blanket;

(21) One each small, regular and large size aneroid or electronic blood pressure cuff and adult and pediatric stethoscopes. One stethoscope with adult and pediatric attachments is acceptable;

(22) One body bag;

(23) One four wheeled, elevating cot with a mattress pad with a nonporous cover. The cot must be equipped with restraining straps (chest and thigh area). A crash stable fastener installed per the cot manufacturer's instructions and compatible with the model cot furnished must secure the specified cot to the floor or side wall;

(24) Two sets of clean cot linen constructed of washable or disposable material in addition to a set on the cot (a set equals two sheets and one pillowcase);

(25) Two pillows covered with a nonporous material;

(26) Two blankets constructed of washable material; and

(27) One child restraint device to safely transport pediatric patients in the patient compartment of the ambulance.

(b) Category II ambulances for which permits are issued shall contain at least the following operational and functional equipment exclusive of personal equipment carried by personnel:

(1) One portable aspirator capable of a minimum vacuum of 300 millimeters of mercury and a minimum air flow rate of 16 liters per minute with rapid drawdown time. A minimum of three, single use, non-opaque, one piece, rigid suction instruments or appropriate replacement collection containers for manually operated devices and a suction rinsing water bottle must be supplied with either unit;

(2) One each portable squeeze bag ventilation unit (bag and mask) in adult, child, and infant sizes with transparent face mask capable of operation down to zero degrees fahrenheit and an attachment for oxygen hookup. A minimum of one transparent, flexible, disposable oxygen supply tube must be supplied with each unit;

(3) Six nonmetallic, oropharyngeal airways sanitarily stored together in separate sizes ranging from 55 millimeters through 115 millimeters;

(4) One portable oxygen unit consisting of the following components: 360 liter (D size) or larger oxygen cylinder; yoke regulator with cylinder contents gauge (2000 pounds per square inch) and gravity or non-gravity dependent flow gauge (0-12 liters per minute); a minimum of three transparent, nasal cannulas in adult and child sizes; and a minimum of three each, adult and child, disposable, transparent, oxygen masks with delivery tubes and headband. A full spare cylinder (D size) or larger of oxygen for this unit shall be furnished and stored on the ambulance vehicle;

(5) Six 4 inch by 4 inch sterile gauze pads individually packaged;

(6) Three sterile 5 inch by 9 inch absorbent dressings individually wrapped;

(7) Six rolls of roller gauze;

(8) Two rolls of adhesive tape;

(9) One pair of bandage shears;

(10) One emesis basin, or sealable emesis container;

(11) One each small, regular and large size aneroid or electronic blood pressure cuff and adult and pediatric stethoscopes. One stethoscope with adult and pediatric attachments is acceptable;

(12) One four wheeled, elevating cot with a mattress pad with a nonporous cover. The cot must be equipped with restraining straps (chest and thigh area). A crash stable fastener installed per the cot manufacturer's instructions and compatible with the model cot furnished must secure the specified cot to the floor or side wall;

(13) Two sets of clean cot linen constructed of washable or disposable material in addition to a set on the cot (a set equals two sheets and one pillowcase);

(14) Two pillows covered with a nonporous material;

(15) Two blankets constructed of washable material; and

(16) A firm board of minimum size 14 inches by 32 inches to support the back during manual heart compressions.

(c) Category III ambulances for which permits are issued must have the following operational and functional medical equipment available to be loaded within five minutes on the vehicle:

(1) One portable aspirator capable of a minimum vacuum of 300 millimeters of mercury and a minimum air flow rate of 16 liters per minute with rapid drawdown time. A minimum of three, single use, non-opaque, one piece, rigid suction instruments or appropriate collection containers for manually operated devices and a suction rinsing water bottle must be supplied with either unit;

(2) One each portable squeeze bag ventilation unit (bag and mask) in adult, child, and infant sizes with transparent face mask capable of operation down to zero degrees fahrenheit and an attachment for oxygen hookup. A minimum of one transparent, flexible, disposable oxygen supply tube must be supplied with each unit;

(3) Six nonmetallic, oropharyngeal airways sanitarily stored together in separate sizes ranging from 55 millimeters through 115 millimeters;

(4) One portable oxygen unit consisting of the following components: 360 liter (D size) or larger oxygen cylinder; yoke regulator with cylinder contents gauge (2000 pounds per square inch) and gravity or non-gravity dependent flow gauge (0-12 liters per minute); a minimum of three transparent, nasal cannulas in adult and child sizes; and a minimum of three each, adult and child, disposable, transparent, oxygen masks with delivery tubes and headband. A full spare cylinder (D size) or larger of oxygen for this unit shall be furnished and stored on the ambulance vehicle;

(5) Twelve 4 inch by 4 inch sterile gauze pads individually packaged;

(6) Six sterile 5 inch by 9 inch absorbent dressings individually wrapped;
(7) Six rolls of roller gauze;
(8) Two rolls of adhesive tape;
(9) One pair of bandage shears;
(10) One emesis basin, or sealable emesis container;
(11) Two burn sheets, minimum size of 40 inches by 72 inches;
(12) A total of 1000 cubic centimeters of sterile irrigating solution in plastic containers in addition to the fluids carried for intravenous use;
(13) One obstetrical kit containing gloves, scissors or surgical blades, umbilical cord clamps or tapes, dressings, towels, perinatal pad, a bulb syringe, and a receiving blanket;
(14) One each small, regular and large size aneroid or electronic blood pressure cuff and adult and pediatric stethoscopes. One stethoscope with adult and pediatric attachments is acceptable;
(15) One four wheeled, elevating cot with a mattress pad with a nonporous cover. The cot must be equipped with restraining straps (chest and thigh area). A crash stable fastener installed per the cot manufacturer's instructions and compatible with the model cot furnished must secure the specified cot to the floor or side wall. A self contained transport incubator with stand and capable of being secured in the ambulance may be substituted;
(16) Two sets of clean cot linen constructed of washable or disposable material in addition to a set on the cot (a set equals two sheets and one pillowcase);
(17) Two blankets constructed of washable material; and
(18) A firm board of minimum size 14 inches by 32 inches to support the back during manual heart compressions.

(d) Category IV ambulances for which permits are issued must have the following medical equipment available to be loaded within five minutes on the aircraft:

(1) One vehicular mounted and one portable aspirator with rapid drawdown time capable of providing a minimum vacuum of 300 millimeters of mercury and a minimum air flow rate of 16 liters per minute up to the maximum operating altitude of the aircraft. A minimum of three, single use, non-opaque, one piece, rigid suction instruments or appropriate collection containers for manually operated devices and a suction rinsing water bottle must be supplied with either unit;
(2) One each portable squeeze bag ventilation unit (bag and mask) in adult, child, and infant sizes with transparent face mask capable of operation down to zero degrees fahrenheit and an attachment for oxygen hookup. A minimum of one transparent, disposable oxygen supply tube must be supplied with each unit;
(3) Six nonmetallic, oropharyngeal airways sanitarily stored together in separate sizes ranging from 55 millimeters through 115 millimeters;
(4) Oxygen unit containing a quantity of oxygen sufficient to supply an appropriate flow rate for the period of time it is anticipated oxygen will be needed, but not less than ten liters per minute for 30 minutes. The oxygen shall be carried in two separate containers, one of which must be portable. The portable oxygen unit shall have a yoke regulator with cylinder contents gauge, flow gauge, and DISS outlets;
(5) Twelve 4 inch by 4 inch sterile gauze pads individually packaged;
(6) Six sterile 5 inch by 9 inch absorbent dressings individually wrapped;
(7) Twelve rolls of roller gauze;
(8) Four rolls of adhesive tape;
(9) Two sterile nonadhering, nonporous dressings for an open chest wound. Minimum size shall be 3 inches by 8 inches;
(10) Six triangular bandages;
(11) Two burn sheets, minimum size of 40 inches by 72 inches;
(12) A total of 1000 cubic centimeters of sterile irrigating solution in plastic containers in addition to the fluids carried for intravenous use;
(13) One emesis basin, or sealable emesis container;
(14) Two IV pressure bags;
(15) An electronic means of measuring blood pressure while in flight;
(16) One stethoscope and manual blood pressure cuff;
(17) One ECG monitor/defibrillator/pacer;
(18) One complete kit for endotracheal intubation;
(19) One litter and attachment for securing the litter to the airframe inside the cabin of the aircraft. The litter must allow for elevation of the patient's head;
(20) One blanket constructed of washable material; and
(21) Three IV hooks.

(e) The medical director shall decide the combination of medical equipment specified in Paragraph (d) of this Rule that is carried on a mission based on what is in the best interest of patient care.

(f) All rotary wing aircraft permitted as a Category IV ambulance must have the following flight equipment operational in the aircraft:

(1) Two 360 channel VHF aircraft frequency transceivers;
(2) One VHF omnidirectional ranging (VOR) receiver;
(3) Attitude indicators;
(4) One nondirectional beacon (NDB) receiver;
(5) One glide scope receiver;
(6) One transponder with 4097 code, Mode C;
(7) Turn and slip indicator in the absence of three attitude indicators;
(8) Current FAA approved navigational aids and charts for the area of operations;
(9) Radar altimeter; and
(10) LORAN-C or Satellite Global Navigational system.

(g) Any fixed wing aircraft issued a permit as a Category IV ambulance must have a current "Instrument Flight Rules" certification.

(h) Category V ambulances for which permits are issued shall contain at least the following operational and functional equipment exclusive of personal equipment carried by personnel:

(1) One portable aspirator capable of a minimum vacuum of 300 millimeters of mercury and a minimum air flow rate of 16 liters per minute with rapid drawdown time. A minimum of three, single use, non-opaque, one piece, rigid suction instruments or appropriate collection containers for manually operated devices and a suction rinsing water bottle must be supplied with either unit;

(2) One each portable squeeze bag ventilation unit (bag and mask) in adult, child, and infant sizes with transparent face mask capable of operation down to zero degrees fahrenheit and an attachment for oxygen hookup. A minimum of one transparent, flexible, disposable oxygen supply tube must be supplied with each unit;

(3) Six nonmetallic, oropharyngeal airways sanitarily stored together in separate sizes ranging from 55 millimeters through 115 millimeters;

(4) One portable oxygen unit consisting of the following components: 360 liter (D size) or larger oxygen cylinder; yoke regulator with cylinder contents gauge (2000 pounds per square inch) and gravity or non-gravity dependent flow gauge (0-12 liters per minute); a minimum of three transparent, nasal cannulas in adult and child sizes; and a minimum of three each, adult and child, disposable, transparent, oxygen masks with delivery tubes and headband. A full spare cylinder (D size) or larger of oxygen for this unit shall be furnished and stored on the ambulance vehicle;

(5) Two small, two medium, and two large size adult extrication collars and two pediatric size extrication collars;

(6) One rigid short backboard. The minimum size must be 14 inches wide by 32 inches long. A stabilization device which is of the design to allow horizontal flexibility and vertical rigidity, equipped with chest and leg straps and accessories for stabilization of the head and neck may be substituted for the rigid short backboard;

(7) Two floatable rigid long backboards a minimum of 16 inches wide by 72 inches long with two straps each for patient stabilization and other accessories for stabilization of the head and neck;

(8) Two each rigid padded board splints in the following sizes; three inches wide by 15 inches long, three inches wide by three feet long, and three inches wide by four and one-half feet long. Other splints, in kit form, of inflatable design or rigid laminated and high density polyurethane foam construction are acceptable. A kit must contain at least two full leg and two full arm splints;

(9) One child and one adult size lower extremity traction splint with appropriate attachments;

(10) Twelve 4 inch by 4 inch sterile gauze pads individually packaged;

(11) Six sterile 5 inch by 9 inch or larger absorbent dressings individually wrapped;

(12) Twelve rolls of roller gauze;

(13) Four rolls of adhesive tape;

(14) Two sterile nonadhering, nonporous dressings for an open chest wound. Minimum size shall be three inches by eight inches;

(15) Six triangular bandages;

(16) One pair of bandage shears;

(17) Two burn sheets, minimum size of 40 inches by 72 inches;

(18) A total of 1000 cubic centimeters of sterile irrigating solution in plastic containers in addition to the fluids carried for intravenous use;

(19) One emesis basin, or sealable emesis container;

(20) One obstetrical kit containing gloves, scissors or surgical blades, umbilical cord clamps or tapes, dressings, towels, perinatal pad, a bulb syringe, and a receiving blanket;

(21) One each small, regular and large size aneroid or electronic blood pressure cuff and adult and pediatric stethoscopes. One stethoscope with adult and pediatric attachments is acceptable;

(22) One body bag;

(23) One additional floatable litter with patient restraining straps and capable of being secured to the watercraft; and

(24) Two blankets constructed of washable material.

History Note: Authority G.S. 131E-157(a); Eff. January 1, 1990; Amended Eff. August 1, 1998; August 1, 1994.

SECTION .1100 - COMMUNICATIONS

.1103 EQUIPMENT

(a) Each ambulance shall be equipped with a two-way radio capable of establishing radio communications from within the ambulance service area of the county in which the ambulance is based to the county designated dispatch coordination center in that county and to the emergency department of the hospital(s) to which patients are routinely transported. The radio shall be licensed by the Federal Communications Commission (FCC).

(b) For an ambulance permitted as a Category I ambulance as defined in Rule .0801(b)(1) or a Category III ambulance as defined in Rule .0801(b)(3) of this Subchapter, a radio telephone type device such as a cellular telephone shall not be the sole source of two way voice communication.

(c) A communication instrument such as a cellular telephone capable of rapidly establishing two way voice communication mounted within the driver's compartment or patient treatment compartment used to summon emergency assistance is acceptable as the sole communications device for an ambulance that is permitted as a Category II ambulance, as defined in Rule .0801(b)(2) of this Subchapter.

History Note: Authority G.S. 131E-157(a); 143-509(4);

Eff. December 1, 1989;
Amended Eff. August 1, 1998.

CHAPTER 26 - MEDICAL ASSISTANCE

SUBCHAPTER 26H - REIMBURSEMENT PLANS

SECTION .0200 - HOSPITAL INPATIENT REIMBURSEMENT PLAN

.0213 DISPROPORTIONATE SHARE HOSPITALS

(a) Hospitals that serve a disproportionate share of low-income patients and have a Medicaid inpatient utilization rate of not less than one percent are eligible to receive rate adjustments. The cost report data and financial information that is required in order to qualify as a disproportionate share hospital effective April 1, 1991 is based on the fiscal year ending in 1989 for each hospital, as submitted to the Division of Medical Assistance on or before April 1, 1991. The cost report data and financial information to qualify as a disproportionate share hospital effective July 1, 1991 is based on the fiscal year ending in 1990 for each hospital, as submitted to the Division of Medical Assistance on or before September 1, 1991. In subsequent years, qualifications effective July 1 of any particular year are based on each hospital's fiscal year ending in the preceding calendar year. The patient days, costs, revenues, or charges related to nursing facility services, swing-bed services, home health services, outpatient services, or any other service that is not a hospital inpatient service shall not be used to qualify for disproportionate share status. A hospital is deemed to be a disproportionate share hospital if:

(1) The hospital has at least two obstetricians with staff privileges at the hospital who have agreed to provide obstetric services to individuals eligible for Medicaid. In the case of a hospital located in a rural area, the term obstetrician includes any physician with staff privileges at the hospital to perform non-emergency obstetric services as of December 21, 1987 or to a hospital that predominantly serves individuals under 18 years of age; and

(2) The hospital's Medicaid inpatient utilization rate, defined as the percentage resulting from dividing Medicaid patient days by total patient days, is at least one standard deviation above the mean Medicaid inpatient utilization rate for all hospitals that receive Medicaid payments in the state; or

(3) The hospital's low income utilization rate exceeds 25 percent. The low-income utilization rate is the sum of:

(A) The ratio of the sum of Medicaid inpatient revenues plus cash subsidies received from the State and local governments, divided by the hospital's total patient revenues; and

(B) The ratio of the hospital's gross inpatient charges for charity care less the cash subsidies for inpatient care received from the State and local governments divided by the hospital's total inpatient charges; or

(4) The sum of the hospital's Medicaid revenues, bad debts allowance net of recoveries, and charity care exceeds 20 percent of gross patient revenues; or

(5) The hospital, in ranking of hospitals in the State, from most to least in number of Medicaid patient days provided, is among the top group that accounts for 50 percent of the total Medicaid patient days provided by all hospitals in the State; or

(6) It is a Psychiatric hospital operated by the North Carolina Department of Human Resources, Division of Mental Health, Developmental Disabilities, Substance Abuse Services (DMH/DD/SAS) or UNC Hospitals operated by the University of North Carolina.

(b) The rate adjustment for a disproportionate share hospital is 2.5 percent plus one fourth of one percent for each percentage point that a hospital's Medicaid inpatient utilization rate exceeds one standard deviation of the mean Medicaid inpatient utilization rate in the State. The rate adjustment is applied to a hospital's payment rate exclusive of any previous disproportionate share adjustments.

(c) An additional one time payment for the 12-month period ending September 30, 1995, in an amount determined by the Director of the Division of Medical Assistance, may be paid to the Public hospitals that are the primary affiliated teaching hospitals for the University of North Carolina Medical Schools less payments made under authority of Paragraph (d) of this Rule. The payment limits of the Social Security Act, Title XIX, Section 1923(g)(1) applied to this payment require that when this payment is added to other Disproportionate Share Hospital payments, the additional disproportionate share payment will not exceed 100 percent of the total cost of providing inpatient and outpatient services to Medicaid and uninsured patients less all payments received for services provided to Medicaid and uninsured patients. The total of all payments may not exceed the limits on DSH funding as set for the State by HCFA.

(d) Effective July 1, 1994, hospitals eligible under Subparagraph (a)(6) of this Rule shall be eligible for disproportionate share payments, in addition to other payments made under the North Carolina Medicaid Hospital reimbursement methodology, from a disproportionate share pool under the circumstances specified in Subparagraphs (1), (2) and (3) of this Paragraph.

(1) An eligible hospital will receive a monthly disproportionate share payment based on the monthly bed days of services to low income persons of each hospital divided by the total monthly bed days of services to low income persons of all hospitals items allocated funds.

(2) This payment shall be in addition to the disproportionate share payments made in accordance with Subparagraphs (a)(1) through (5) of this Rule. However, DMH/DD/SAS operated hospitals are not required to qualify under the requirements of Subparagraphs (a)(1) through (5) of this Rule.

(3) The amount of allocated funds shall be determined by the Director of the Division of Medical Assistance, but not to exceed the quarterly grant award of funds

(plus appropriate non-federal match) earmarked for disproportionate share hospital payments less payments made under Subparagraphs (a)(1) through (5) divided by three.

In Subparagraph (d)(1) of this Rule, bed days of services to low income persons is defined as the number of bed days provided to individuals that have been determined by the hospital as patients that do not possess the financial resources to pay portions or all charges associated with care provided.

Low income persons include those persons that have been determined eligible for medical assistance. The count of bed days used to determine payment is based upon the month immediately prior to the month that payments are made.

Disproportionate share payments to hospitals are limited in accordance with The Social Security Act as amended, Title XIX section 1923 (g), limit on amount of payment to hospitals.

(e) Subject to the availability of funds, hospitals that: qualify as disproportionate share hospitals under Subparagraphs (a)(1) through (5) of this Rule for the fiscal years ended September 30, 1995 and September 30, 1996; operate Medicare approved graduate medical education programs for the fiscal years ended September 30, 1995 and September 30, 1996; and incur for the 12-month period ending September 30, 1996 unreimbursed costs (calculated without regard to payments under either this Paragraph or Paragraph (f) of this Rule) for providing inpatient and outpatient services to uninsured patients in an amount in excess of two million five hundred thousand dollars ($2,500,000) shall be eligible for disproportionate share payments for such services from a disproportionate share pool under the circumstances specified in Subparagraphs (1) through (7) of this Paragraph.

(1) Qualification for the 12 month period ending September 30, 1996 shall be based on cost report data and uninsured patient data certified to the Division by hospitals on or before September 23, 1996 for fiscal years ending in 1995, in connection with the disproportionate share hospital application process. Qualification for subsequent 12 month periods ending September 30 of each year shall be based on cost report data and uninsured patient data certified to the Division by hospitals on or before September 1 of each subsequent year, for the fiscal year ending in the preceding calendar year.

(2) Any payments made pursuant to this Paragraph shall be calculated and paid no less frequently than annually, and prior to the calculation and payment of any disproportionate share payments pursuant to Paragraph (f) of this Rule.

(3) For the 12 month period ending September 30, 1996 a payment shall be made to each qualified hospital in an amount determined by the Director of the Division of Medical Assistance based on a percentage (not to exceed a maximum of 23 percent) of the unreimbursed costs incurred by each qualified hospital for inpatient and outpatient services provided to uninsured patients.

(4) In subsequent 12 month periods ending September 30th of each year, the percentage payment shall be ascertained and established by the Division by ascertaining funds available for payments pursuant to this Paragraph divided by the total unreimbursed costs of all hospitals that qualify for payments under this Paragraph for providing inpatient and outpatient services to uninsured patients.

(5) The payment limits of the Social Security Act, Title XIX, section 1923(g)(1) applied to the payments authorized by this Paragraph require that when this payment is added to other disproportionate share hospital payments, the total disproportionate share payments shall not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients. The total of all disproportionate share hospital payments shall not exceed the limits on disproportionate share hospital funding as established for this State by HCFA.

(6) To ensure that payments pursuant to Paragraph (e) do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 C.F.R. 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the period for which such payments are made. If any hospital receives payments, pursuant to this Subparagraph in excess of the percentage established by the Director under Subparagraph (d)(3) of this Rule, ascertained without regard to other disproportionate share hospital payments that may have been received for services during the 12-month period ending September 30, 1996, such excess payments shall promptly be refunded to the Division. No additional payment shall be made to qualified hospitals in connection with the cost settlement.

(7) The payments authorized by Subparagraph (6) shall be effective in accordance with G.S. 108A-55(c).

(f) An additional one-time disproportionate share hospital payment during the 12-month period ending September 30, 1996 (subject to the availability of funds and to the payment limits specified in this Paragraph) shall be paid to qualified public hospitals. For purposes of this Paragraph, a qualified public hospital is a hospital that qualifies for disproportionate share hospital status under Subparagraphs (a)(1) through (5) of this Rule; does not qualify for disproportionate share hospital status under Subparagraph (a)(6) of this Rule; was owned or operated by a State (or by an instrumentality or a unit of government within a State) throughout the 12-month period ending September 30,1996; verified its status as a public hospital by certifying state, local, hospital district or authority government control on the most recent version of Form HCFA-1514 filed with the Health Care Financing Administration, U.S. Department of Health and Human Services on or before September 23, 1996;

files with the Division on or before September 23, 1996 by use of a form prescribed by the Division a certification of its unreimbursed charges for inpatient and outpatient services provided to uninsured patients during the fiscal year ending in 1995; and submits to the Division on or before September 23, 1996 by use of a form prescribed by the Division a certificate of public expenditures.

(1) The payment to qualified public hospitals pursuant to this Paragraph for the 12-month period ending September 30, 1996 shall be based on and shall not exceed the unreimbursed charges certified to the Division by each such hospital by use of a form prescribed by the Division for inpatient and outpatient services provided to uninsured patients for the fiscal year ending in 1995, to be converted by the Division to unreimbursed cost by multiplying unreimbursed charges times the cost-to-charge ratio established by the Division for each hospital for the fiscal year ending in 1995. Payments authorized by this Paragraph shall be made no less frequently than annually.

(2) Any payments pursuant to this Paragraph shall be ascertained and paid after any disproportionate share hospital payments that may have been or may be paid by the Division pursuant to Paragraph (d) of this Rule.

(3) The payment limits of the Social Security Act, Title XIX, Section 1923 (g)(1) applied to this payment require that when this payment is added to other disproportionate share hospital payments, the total disproportionate share hospital payments will not exceed 100 percent of the total costs of providing inpatient and outpatient services to Medicaid and uninsured patients for the fiscal year in which such payments are made, less all payments received for services to Medicaid and uninsured patients for that year. The total of all DSH payments by the Division may not exceed the limits on disproportionate share hospital funding as established for this State by HCFA for the fiscal year in which such payments are made.

(4) To ensure that estimated payments pursuant to Paragraph (f) do not exceed the State aggregate upper limits to such payments established by applicable federal law and regulation (42 C.F.R. 447.272), such payments shall be cost settled within 12 months of receipt of the completed cost report covering the 12 month period for which such payments are made. No additional payments shall be made in connection with the cost settlement.

(5) The payments authorized by Paragraph (f) of this Rule shall be effective in accordance with G.S. 108A-55(c).

(g) Effective with dates of payment beginning October 31, 1996, hospitals that provide services to clients of State Agencies are considered to be a Disproportionate Share Hospital (DSH) when the following conditions are met:

(1) The hospital has a Medicaid inpatient utilization rate not less than one percent and has met the requirements of Subparagrah (a)(1) of this Rule; and

(2) The State Agency has entered into a Memorandum of Understanding (MOU) with the Division of Medical Assistance (Division); and

(3) The inpatient and outpatient services are authorized by the State Agency for which the uninsured client meets the program requirements.

(A) For purposes of this Paragraph, uninsured patients are those clients of the State Agency that have no third parties responsible for any hospital services authorized by the State Agency.

(B) DSH payments are paid for services to qualified uninsured clients on the following basis:

(i) For inpatient services the amount of the DSH payment is determined by the State Agency in accordance with the applicable Medicaid inpatient payment methodology as stated in Rule .0211 of this Section.

(ii) For outpatient services the amount of the DSH payment is determined by the State Agency in accordance with the applicable Medicaid outpatient payment methodology as stated in Section 24 of Chapter 18 of the 1996 Session Laws of North Carolina.

(iii) No federal funds are utilized as the non-federal share of authorized payments unless the federal funding is specifically authorized by the federal funding agency as eligible for use as the non-federal share of payments.

(C) Based upon this Paragraph DSH payments as submitted by the State Agency shall be paid monthly in an amount to be reviewed and approved by the Division of Medical Assistance. The total of all payments may not exceed the limits on Disproportionate Share Hospital funding as set forth for the state by HCFA.

History Note: Authority G.S. 108A-25(b); 108A-54; 108A-55; 42 C.F.R. 447, Subpart C;
Eff. February 1, 1995;
Amended Eff. July 1, 1995;
Filed as a Temporary Amendment Eff. September 15, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Filed as a Temporary Amendment Eff. September 29, 1995, for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Amended Eff. January 1, 1996;
Temporary Amendment Eff. September 25, 1996;
Temporary Amendment Eff. April 15, 1997;
Temporary Amendment Eff. September 30, 1997;
Amended Eff. August 1, 1998.

TITLE 12 - DEPARTMENT OF JUSTICE

CHAPTER 10 - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

SUBCHAPTER 10B - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

SECTION .0100 - COMMISSION ORGANIZATION AND PROCEDURES

.0109 DEVELOPMENT OF PROGRAMS

The Division shall assist the Commission in developing and evaluating programs for the improvement of North Carolina Sheriffs' offices by:

(1) Compiling data, performing research, and developing reports concerning the needs of all sheriffs' offices;

(2) Presenting to the Commission recommendations for the development of new programs and the revision of existing programs;

(3) Disseminating information about Commission programs to concerned agencies and persons; and

(4) Collecting comments about Commission programs contributed by agencies and the public.

History Note: Authority G.S. 17E-6;
Eff. January 1, 1989;
Recodified from 12 NCAC 10B .0202 Eff. January 1, 1992;
Amended Eff. February 1, 1998.

SECTION .0400 - CERTIFICATION OF JUSTICE OFFICERS

.0403 PROBATIONARY CERTIFICATION REQUIREMENT

(a) For certification as a justice officer, a Report of Appointment (Form F-4T) must be submitted to the Division. Report of Appointment forms must be submitted to the Division by the sheriff's office no later than 10 days after the deputy sheriff has taken the Oath of Office, or the detention officer or the telecommunicator has been appointed. The Division shall forward the justice officer's certification to the appointing agency.

(b) No deputy sheriff or detention officer probationary certification shall be issued by the Division prior to the applicant meeting the conditions set forth in this Paragraph. As an additional requirement for probationary certification, the applicant shall meet the following requirements:

(1) If the applicant for probationary certification is authorized to carry a firearm pursuant to the provisions of 12 NCAC 10B .2104, the employing agency shall submit evidence of satisfactory completion of the employing agency's in-service firearms training and requalification program pursuant to 12 NCAC 10B .2000 and .2100; or

(2) If the applicant for probationary certification is not authorized to carry a firearm pursuant to the provisions of 12 NCAC 10B .2104, the employing agency shall notify the Division, in writing, that the applicant is not authorized to carry a firearm.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1996; January 1, 1994; January 1, 1991;
Temporary Amendment Eff. March 1, 1998.

SECTION .0500 - MINIMUM STANDARDS OF TRAINING FOR DEPUTY SHERIFFS

.0505 EVALUATION FOR TRAINING WAIVER

(a) The Division staff shall evaluate each deputy's training and experience to determine if equivalent training has been satisfactorily completed as specified in 12 NCAC 10B .0504(a). Applicants for certification with prior law enforcement experience shall have been employed in a sworn law enforcement position in order to be considered for training evaluation under this Rule. The following rules shall be used by Division staff in evaluating a deputy's training and experience to determine eligibility for a waiver of training.

(1) Persons who separated from a sworn law enforcement position during their probationary period after having completed a commission-accredited Basic Law Enforcement Training Course and who have been separated from a sworn law enforcement position for one year or less shall serve the remainder of the initial probationary period in accordance with G.S. 17E-7(b), but need not complete an additional training program.

(2) Persons who separated from a sworn law enforcement position during their probationary period without having completed Basic Law Enforcement Training, or whose certification was suspended pursuant to 12 NCAC 10B .0204(b)(1), and who have remained separated or suspended for over one year shall complete a commission-accredited Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination, and shall be allowed a 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(3) Out-of-state transferees shall be evaluated to determine the amount and quality of their training and experience. Out-of-state transferees:

(A) shall have a minimum of two years full-time sworn law enforcement experience;

(B) shall not have a break in service exceeding two years; and

(C) shall have successfully completed the Basic Law Enforcement Training Course accredited by the state from which he/she is transferring. Out-of-state transferees meeting these requirements shall successfully complete a commission-accredited Basic Law

Enforcement Training Course which includes the following topics of North Carolina law and procedure and successfully pass the State Comprehensive Examination in its entirety within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(i)	Laws of Arrest, Search and Seizure	16 hours
(ii)	Elements of Criminal Law	24 hours
(iii)	Juvenile Laws and Procedures	8 hours
(iv)	Controlled Substances	6 hours
(v)	ABC Laws and Procedures	4 hours
(vi)	Motor Vehicle Laws	20 hours
(vii)	Civil Process	24 hours
(viii)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(4) Persons previously holding Grandfather law enforcement certification in accordance with G.S. 17C-10(a) or G.S. 17E-7(a) who have been separated from a sworn law enforcement position for more than one year and who have not previously completed a minimum Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission or the North Carolina Sheriffs' Education and Training Standards Commission shall be required to complete a commission-accredited Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(5) Persons who have completed a minimum 160-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973 and continuing through September 30, 1978 and who have been separated from a sworn law enforcement position for more than one year but no more than two years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Juvenile Law and Procedures	8 hours
(B)	Laws of Arrest, Search and Seizure	16 hours
(C)	Elements of Criminal Law	24 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Law Enforcement Driver Training	16 hours
(H)	Civil Process	24 hours
(I)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	126 hours

(6) Persons who have completed a minimum 160-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Training and Standards Council under guidelines administered beginning on July 1, 1973 and continuing through September 30, 1978 and who have been separated from a sworn law enforcement position for more than two years shall be required to complete a commission-accredited Basic Law Enforcement Training Course in its entirety regardless of training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(7) Persons who have completed a minimum 240-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning October 1, 1978 and continuing through September 30, 1984 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(8) Persons who have completed a minimum 240-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission under guidelines administered beginning October 1, 1978 and continuing through September 30, 1984 and who have been separated from a sworn law enforcement position for more than three years shall be required to complete a commission-accredited Basic Law Enforcement Training Course in its entirety regardless of prior training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(9) Persons who have completed a minimum 381 hour Basic Law Enforcement Training Course accredited by the North Carolina Sheriffs' Education and Training Standards Commission under guidelines

administered beginning October 1, 1984 and ending December 31, 1988 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(10) Persons transferring to a sheriff's office from another law enforcement agency who hold certification issued by the North Carolina Criminal Justice Education and Training Standards Commission and who have previously completed a commission-accredited Basic Law Enforcement Training Course beginning on or after October 1, 1984 and who have been separated from a sworn law enforcement position for no more than one year or who have had no break in service shall be required to complete the following enumerated topics of a commission-accredited Basic Law Enforcement Training Course and successfully pass that portion of the State Comprehensive Examination which deals with those subjects within 12 months of the date of appointment as defined in 12 NCAC 10B .0103(1).

(A)	Civil Process	24 hours
(B)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	32 hours

(11) Persons who have completed a minimum 369-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Commission under guidelines beginning October 1, 1984 and ending July 1, 1989 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(12) Persons who have completed a minimum 422-hour Basic Law Enforcement Training Course accredited by the North Carolina Sheriff's Education and Training Standards Commission under the guidelines administered beginning January 1, 1989 and ending February 1, 1991 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(13) Persons who have previously completed a minimum 410-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission under guidelines administered beginning July 1, 1989 and ending February 1, 1991 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(14) Persons who have completed a minimum 444-hour Basic Law Enforcement Training Course accredited by the North Carolina Sheriffs' Education and Training Standards Commission under the guidelines administered beginning February 1, 1991 and ending

January 1, 1996 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(15) Persons who have previously completed a minimum 432-hour Basic Law Enforcement Training Course accredited by the North Carolina Criminal Justice Education and Training Standards Commission under guidelines administered beginning February 1, 1991 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(16) Persons who have completed training as a federal law enforcement officer and are appointed as a deputy sheriff in North Carolina shall be required to complete a commission-accredited Basic Law Enforcement Training Course in its entirety regardless of previous federal training and experience and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(17) Persons out of the law enforcement profession for over three years regardless of prior training or experience shall complete a commission-accredited Basic Law Enforcement Training Course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(18) Wildlife Enforcement Officers who completed the Basic Law Enforcement Training Course prior to September 30, 1985 and are sworn as justice officers shall be subject to the evaluation rules as stated in 12 NCAC 10B .0505(a)(1) and (a)(4) through (11).

(19) Wildlife Enforcement Officers who separate from employment with the Wildlife Enforcement Division and have less than one year break in service, who transfer to a Sheriff's Office in a sworn capacity, and who completed their Basic Training after September 30, 1985 shall complete the following blocs of instruction and pass the state exam in its entirety within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Crime Prevention Techniques	4 hours
(B)	Mechanics of Arrest: Custody Procedure	2 hours
(C)	Mechanics of Arrest: Processing Arrestee	4 hours
(D)	Special Populations	12 hours
(E)	Techniques of Traffic Law Enforcement	6 hours
(F)	Dealing with Victims and the Public	8 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	68 hours

(20) Wildlife Enforcement Officers who completed Basic Law Enforcement Training on or after September 30, 1985 and have been out of a sworn position over one year but no more than three years, and are sworn as a justice officer must complete the following blocs of instructions and pass the state exam in its entirety during their probationary period as prescribed in 12 NCAC 10B .0503 (a).

(A)	Laws of Arrest Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Crime Prevention Techniques	4 hours
(H)	Mechanics of Arrest: Custody Procedures	2 hours
(I)	Mechanics of Arrest: Processing Arrestees	4 hours
(J)	Special Populations	12 hours
(K)	Techniques of Traffic Law Enforcement	6 hours
(L)	Dealing with Victims and the Public	8 hours
(M)	Civil Process	24 hours
(N)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	146 hours

(21) Alcohol Law Enforcement Officers who completed the Basic Law Enforcement Training Course prior to April 1, 1983 or after November 1, 1993, and are sworn as a justice officer shall be subject to the

evaluation rules as prescribed in 12 NCAC 10B .0505(a)(3) through (8) and (a)(14), (15) and (24).

(22) Alcohol Law Enforcement Officers who separate from employment with the Alcohol Law Enforcement Division and have less than a one year break in service, who transfer to a Sheriff's Office in a sworn capacity, and who completed their Basic Training administered beginning April 1, 1983 and ending November 1, 1993 shall complete the following blocs of instruction and pass the state comprehensive exam in its entirety within the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Law Enforcement Communication and Information Systems	4 hours
(B)	Patrol Techniques	16 hours
(C)	Crime Prevention Techniques	4 hours
(D)	Mechanics of Arrest: Vehicle Stops	6 hours
(E)	Mechanics of Arrest: Custody Procedures	2 hours
(F)	Mechanics of Arrest: Processing Arrestee	4 hours
(G)	Special Populations	12 hours
(H)	Interviews: Field and In-Custody	8 hours
(I)	Motor Vehicle Law	20 hours
(J)	Techniques of Traffic Law Enforcement	6 hours
(K)	Dealing with Victims and the Public	8 hours
(L)	Civil Process	24 hours
(M)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	122 hours

(23) Alcohol Law Enforcement Officers who completed their Basic Training administered beginning April 1, 1983 and ending November 1, 1993 and are sworn as a justice officer and who have been out of a sworn position for over one year but no more than three years shall complete the following blocs of instruction and pass the state examination in its entirety during their one year probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Law Enforcement Communication and Information Systems	4 hours
(G)	Patrol Techniques	16 hours
(H)	Crime Prevention Techniques	4 hours
(I)	Mechanics of Arrest: Vehicle Stops	6 hours
(J)	Mechanics of Arrest: Custody Procedures	2 hours
(K)	Mechanics of Arrest: Processing Arrestee	4 hours
(L)	Special Populations	12 hours
(M)	Interviews: Field and In-Custody	8 hours
(N)	Motor Vehicle Law	20 hours
(O)	Techniques of Traffic Law Enforcement	6 hours
(P)	Dealing with Victims and the Public	8 hours
(Q)	Civil Process	24 hours
(R)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	180 hours

(24) Persons who have previously completed a minimum 472-hour Basic Law Enforcement Training Course accredited by the North Carolina Sheriffs' Education and Training Standards Commission, under the guidelines administered beginning January 1, 1996 and who have been separated from a sworn law enforcement position for over one year but no more than three years shall be required to complete the following portions of a commission-accredited Basic Law Enforcement Training Course and pass the State Comprehensive Examination with the 12 month probationary period as prescribed in 12 NCAC 10B .0503(a).

(A)	Laws of Arrest, Search and Seizure	16 hours
(B)	Elements of Criminal Law	24 hours
(C)	Juvenile Laws and Procedures	8 hours
(D)	Controlled Substances	6 hours
(E)	ABC Laws and Procedures	4 hours
(F)	Motor Vehicle Laws	20 hours
(G)	Civil Process	24 hours
(H)	Supplemental Custody Procedures	8 hours
	TOTAL HOURS	110 hours

(b) In those instances not specifically incorporated within this Section or where an evaluation of the applicant's prior training and experience determines that required attendance in the entire Basic Law Enforcement Training Course would be impractical, the director is authorized to exercise his/her discretion in determining the amount of training, those persons shall complete during their probationary period.

History Note: Authority G.S. 17E-4; 17E-7; Eff. January 1, 1989; Amended Eff. February 1, 1998; January 1, 1996; January 1, 1994; January 1, 1993; January 1, 1992.

SECTION .0600 - MINIMUM STANDARDS OF TRAINING FOR DETENTION OFFICERS

.0601 DETENTION OFFICER CERTIFICATION COURSE

(a) This Section establishes the current standard by which Sheriffs' Office and district confinement personnel shall receive detention officer training. These Rules will serve to raise the level of detention officer training heretofore available to law enforcement officers across the state. The Detention Officer Certification Course shall consist of a minimum of 140 hours of instruction designed to provide the trainee with the skills and knowledge necessary to perform those tasks considered essential to the administration and operation of a confinement facility.

(b) Each Detention Officer Certification Course shall include

the following identified topic areas and approximate minimum instructional hours for each area:

(1)	Orientation	2 hours
(2)	Criminal Justice System	3 hours
(3)	Legal Aspects of Management & Supervision	19 hours
(4)	Contraband/Searches	6 hours
(5)	Processing Inmates	5 hours
(6)	First Aid & CPR	10 hours
(7)	Medical Care in the Jail	5 hours
(8)	Patrol & Security Functions of the Jail	5 hours
(9)	Key and Tool Control	2 hours
(10)	Supervision & Management of Inmates	5 hours
(11)	Suicides & Crisis Management	5 hours
(12)	Introduction to Rules & Regulations Governing Jails	2 hours
(13)	Stress	2 hours
(14)	Investigative Process in the Jail	9 hours
(15)	Unarmed Self-Defense	24 hours
(16)	Special Populations	4 hours
(17)	Transportation of Inmates	6 hours
(18)	Fire Emergencies	12 hours
(19)	Physical Assessment	4 hours
(20)	Review/Testing	7 hours
(21)	State Comprehensive Examination	3 hours
	TOTAL HOURS	140 hours

(c) In addition to the requirements of Paragraph (b) of this Rule, the reading component of a standardized test shall be administered to each trainee within the first two weeks of the Detention Officer Certification Course, and the reading grade level reported as a part of the trainee's official training records. The school director shall determine the test instrument to be used.

(d) Consistent with the curriculum development policy of the Commission, the Commission shall designate the developer of the Detention Officer Certification Course curricula and such designation shall be deemed by the Commission as approval for the developer to conduct pilot Detention Officer Certification Courses. Individuals who successfully complete such a pilot Detention Officer Certification Course offering shall be deemed to have successfully complied with and satisfied the minimum training requirement.

(e) The "Detention Officer Certification Training Manual" as published by the North Carolina Justice Academy is hereby incorporated by reference and shall automatically include any later amendments and editions of the incorporated matter to apply as the basic curriculum for the Detention Officer Certification Course. Copies of this manual may be obtained by contacting the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099. The cost of this manual is forty dollars ($40.00) at the time of adoption of this Rule.

(f) The "Detention Officer Certification Course Management Guide" as published by the North Carolina Justice Academy is hereby incorporated by reference and shall automatically include any later amendments, editions of the incorporated matter to be used by certified school directors in planning, implementing and delivering basic detention officer training. Each certified school director shall be issued a copy of the guide at the time of certification at no cost to the accredited school.

History Note: Authority G.S. 17E-4(a);
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1996; June 1, 1992; January 1, 1992; January 1, 1991.

.0602 TIME REQ/COMPLETION//DETENTION OFFICER CERT TRAINING COURSE

(a) Each individual employed by a sheriff's office or a district confinement facility as a detention officer holding probationary certification shall satisfactorily complete a commission-accredited detention officer training course. The individual shall complete such course within one year from the date of his original appointment as a detention officer as determined by the date of the probationary certification. Any individual employed as a detention officer who does not comply with this Rule or other training provisions of this Chapter shall not be authorized to exercise the powers of a detention officer. If, however, an individual has enrolled in a commission-accredited detention officer course that concludes later than the end of the individual's probationary period, the Commission may extend the probationary period for a period not to exceed six months.

(b) Persons having completed a commission-accredited detention officer training course and not having been duly appointed and certified as a detention officer within one year of completion of the course shall complete a subsequent commission-accredited detention officer training course in its entirety and pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0602(a), unless the Director determines that a delay in applying for certification was due to simple negligence on the part of the applicant or employing agency, in which case the Director may accept the commission-accredited detention officer training program which is over one year old. Such extension of the one year period shall not exceed 30 days from the expiration date of a commission-accredited detention officer training program.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1996; January 1, 1994.

.0603 EVALUATION FOR TRAINING WAIVER

(a) The following rules shall be used by division staff in evaluating a detention officer's training and experience to determine eligibility for a waiver of training:

(1) Persons who have separated from a detention officer position during the probationary period after having completed a commission-accredited detention officer training course and who have been separated from a detention officer position for more than one year shall complete a subsequent commission-accredited detention officer training course in its entirety and

successfully pass the State Comprehensive Examination within the 12 month probationary period as described in 12 NCAC 10B .0602(a).

(2) Persons who separated from a detention officer position during their probationary period after having completed a commission-accredited detention officer training course and who have been separated from a detention officer position for one year or less shall serve the remainder of the initial probationary period in accordance with G.S. 17E-7(b), but need not complete an additional training program.

(3) Persons who separated from a detention officer position during the probationary period without having completed a detention officer training course or whose certification was suspended pursuant to 12 NCAC 10B .0204(b)(1) and who have remained separated or suspended for over one year shall complete a commission-accredited detention officer training course in its entirety and successfully pass the State Comprehensive Examination, and shall be allowed a 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).

(4) Persons holding General Detention Officer Certification who have completed a commission-accredited detention officer training course and who have separated from a detention officer position for more than one year shall complete a subsequent commission-accredited detention officer training course in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).

(5) Persons holding Grandfather Detention Officer Certification who separate from a detention officer position and remain separated from a detention officer position for more than one year shall be required to complete a commission-accredited detention officer training program in its entirety and successfully pass the State Comprehensive Examination within the 12 month probationary period as prescribed in 12 NCAC 10B .0602(a).

(6) Persons transferring to a sheriff's office from another law enforcement agency who hold a detention officer certification issued by the North Carolina Criminal Justice Education and Training Standards Commission shall be subject to evaluation of their prior training and experience on an individual basis. The Division staff shall determine the amount of training required of these applicants.

(7) Persons holding general certification as a correctional officer issued by the North Carolina Criminal Justice Education and Training Standards Commission and who:

(A) completed training as a correctional officer after January 1, 1981; and

(B) transfer to a sheriff's office or a district confinement facility in a detention officer position; and

(C) have had less than a one year break in service, or no break in service, shall serve a 12-month probationary period as prescribed in 12 NCAC 10B .0602(a) and shall complete the following topic areas in a commission-accredited detention officer certification course and take the state examination in its entirety during that probationary period:

(i)	Orientation	2 hours
(ii)	Legal Aspects of Jail Management & Supervision	19 hours
(iii)	Medical Care in the Jail	5 hours
(iv)	Investigative Process in the Jail	9 hours
(v)	Suicides and Crisis Management	5 hours
(vi)	Introduction to Rules and Regulations Governing Jail Facilities	2 hours
(vii)	Fire Emergencies in the Jail	12 hours
	TOTAL HOURS	54 hours

(b) In those instances not specifically incorporated within this Section or where an evaluation of the applicant's prior training and experience determines that required attendance in the entire Detention Officer Training Course would be impractical, the director is authorized to exercise his/her discretion in determining the amount of training those persons shall complete during their probationary period.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1996; January 1, 1993; January 1, 1992; January 1, 1991.

SECTION .0700 - MINIMUM STANDARDS FOR JUSTICE OFFICER SCHOOLS AND TRAINING PROGRAMS OR COURSES OF INSTRUCTION

.0701 PURPOSE

This Section establishes the minimum standards for the schools from which sheriffs' office personnel shall receive training. These Rules serve to define the areas of responsibility for the institutions and personnel associated with and responsible for the delivery of said training programs.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998;
Temporary Amendment Eff. March 1, 1998.

SECTION .1000 - PROFESSIONAL CERTIFICATE PROGRAM FOR SHERIFFS ANDDEPUTY SHERIFFS

.1001 PURPOSE

In order to recognize the level of competence of sheriffs and

deputy sheriffs serving the sheriffs' offices of North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a law enforcement career, the North Carolina Sheriffs' Education and Training Standards Commission establishes the Sheriffs and Deputy Sheriffs' Professional Certificate Program. This program is a method by which dedicated sheriffs and deputy sheriffs may receive local, state-wide and nation-wide recognition for education, professional training and on-the-job experience.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1992.

.1002 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the professional awards, a sheriff or deputy sheriff shall first meet the following preliminary qualifications:

(1) Be an elected or appointed sheriff or be a deputy sheriff who holds valid General or Grandfather Certification. A deputy sheriff serving under a probationary certification is not eligible for consideration.

(2) The sheriff or deputy sheriff shall be familiar with and subscribe to the Law Enforcement Code of Ethics.

(3) If the applicant is a deputy sheriff, the deputy shall be a sworn member of a North Carolina Sheriff's Office, as certified in writing by the sheriff; or be an employee of an agency who must be sworn by the sheriff in order to perform his duties as certified in writing by the Sheriff.

(4) Employees of a North Carolina Sheriff's Office who have previously held general or grandfather law enforcement officer certification but are presently, by virtue of promotion or transfer, serving in non-sworn positions not subject to certification are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's office from the date of promotion or transfer from a sworn, certified position to the date of application for a professional certificate.

(5) Only training and/or experience gained in an officer's area of expertise will be eligible for application to this program.

(b) Certificates are awarded based upon a formula which combines formal education, law enforcement training, and actual experience as a law enforcement officer. These professional certificates are appropriate for sworn sheriffs and deputy sheriffs. Points are computed in the following manner:

(1) Each semester hour of college credit shall equal one point and each quarter hour shall equal two-thirds of a point;

(2) Twenty classroom hours of commission-approved law enforcement training shall equal one point;

(3) Only experience as a sworn member of a law enforcement agency or equivalent experience shall be acceptable for consideration;

(4) Applicants holding degrees will not be awarded additional points for those degrees and must instead meet the training point requirements of this Section through completion of law enforcement training.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1992; January 1, 1991; January 1, 1990.

SECTION .1100 - SHERIFFS', DEPUTY SHERIFFS' AND DETENTION OFFICERS' SERVICE AWARD PROGRAM

.1101 PURPOSE

In order to recognize Sheriffs', deputy sheriffs' and detention officers' loyal and competent service to a particular sheriff's office, and also to the State of North Carolina, the Commission establishes the Sheriffs', deputy sheriffs' and detention officers' Service Award Program. This program is a method by which dedicated officers may receive local, state-wide and nation-wide recognition for their loyal and competent law enforcement service.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1992;
Temporary Amendment Eff. March 1, 1998.

.1102 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the service awards, a Deputy Sheriff, Detention Officer, or Sheriff shall first meet the following preliminary qualifications:

(1) Be an elected or appointed sheriff or be a deputy sheriff or detention officer that holds a valid general or grandfather certification. An officer serving under a probationary certification is not eligible for consideration.

(2) Be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police.

(3) Employees of a North Carolina Sheriff's Office who have previously held certification, but are presently, by virtue of promotion or transfer, serving in positions not subject to certification may participate in the service award program. Eligibility for this exception requires continuous employment with a sheriff's office from the date of promotion or transfer from a certified position to the date of application for a service award as certified in writing by the Sheriff.

(b) Only experience as a certified member of a law enforcement agency or experience as an elected or appointed sheriff shall be acceptable for consideration.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1990;
Temporary Amendment Eff. March 1, 1998.

SECTION .1200 - PROFESSIONAL CERTIFICATE PROGRAM FOR DETENTION OFFICERS

.1201 PURPOSE

In order to recognize the level of competence of detention officers serving the Sheriffs' offices of North Carolina, to foster increased interest in college education and professional law enforcement training programs and to attract highly qualified individuals into a law enforcement career, the North Carolina Sheriffs' Education and Training Standards Commission established the Professional Certificate Program for Detention Officers.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1990;
Amended Eff. February 1, 1998; January 1, 1996.

.1202 GENERAL PROVISIONS

(a) In order to be eligible for one or more of the detention officer professional awards, a detention officer shall first meet the following preliminary qualifications:

(1) Be a detention officer who holds valid general or grandfather certification. A detention officer serving under a probationary certification is not eligible for consideration.

(2) Be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police to include any subsequent editions or modifications thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602-0629.

(3) Employees of a North Carolina Sheriff's Office who have previously held general or grandfather detention officer certification but are presently, by virtue of promotion or transfer, serving in positions not subject to certification are eligible to participate in the Professional Certificate Program. Eligibility for this exception requires continuous employment with the sheriff's office from the date of promotion or transfer from a certified position to the date of application for a professional certificate.

(b) Only training and experience gained in an officer's area of expertise will be eligible for application to this program.

(c) Certificates shall be awarded based upon a formula which combines formal education, training, and actual experience as a detention officer. Points are computed in the following manner:

(1) Each semester hour of college credit shall equal one point and each quarter hour shall equal two thirds of a point;

(2) Twenty classroom hours of commission-approved training shall equal one point;

(3) Only experience as a member of a law enforcement agency or equivalent experience shall be acceptable for consideration;

(4) Applicants holding degrees shall not be awarded additional points for those degrees and must instead meet the training point requirements of this Section through completion of training in the field of jails or corrections.

History Note: Authority G.S. 17E-4;
Eff. January 1, 1990;
Amended Eff. February 1, 1998; January 1, 1996; January 1, 1992.

SECTION .2000 - IN-SERVICE TRAINING FOR JUSTICE OFFICERS

.2001 PURPOSE

In order to ensure a minimum level of proficiency in specific topical areas for justice officers serving the sheriffs' offices within the state the Commission establishes the Justice Officers' In-Service Training Program.

History Note: Authority G.S. 17E-4; 17E-7;
Eff. January 1, 1989;
Amended Eff. February 1, 1998; January 1, 1990.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

SECTION .0200 - CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE TO SURFACE WATERS AND WETLANDS OF NORTH CAROLINA

.0202 DEFINITIONS

The definition of any word or phrase used in this Section shall be the same as given in Article 21, Chapter 143 of the General Statutes of North Carolina. The following words and phrases, which are not defined in this article, shall be interpreted as follows:

(1) Acute toxicity to aquatic life means lethality or other harmful effects sustained by either resident aquatic populations or indicator species used as test organisms in a controlled toxicity test due to a short-term exposure (relative to the life cycle of the organism) to a specific chemical or mixture of chemicals (as in an effluent). Short-term exposure for acute tests is generally 96 hours or less. Acute toxicity shall be determined using the following procedures:

(a) for specific chemical constituents or compounds, acceptable levels shall be equivalent to a concentration of one-half or less of the Final Acute Value (FAV) as determined according to "Guidelines for Deriving Numerical Water Quality Criteria for

the Protection of Aquatic Life and its Uses" published by the Environmental Protection Agency and referenced in the Federal Register (50 FR 30784, July 29, 1985) which is hereby incorporated by reference including any subsequent amendments.

(b) for specific chemical constituents or compounds for which values described under Subparagraph (1)(a) of this Rule can not be determined, acceptable levels shall be equivalent to a concentration of one-third or less of the lowest available LC50 value.

(c) for effluents, acceptable levels are defined as no statistically measurable lethality (99 percent confidence level using Students t test) during a specified exposure period. Concentrations of exposure shall be determined on a case-by-case basis.

(d) in instances where detailed dose response data indicate that levels of acute toxicity are significantly different from those defined in this Rule, the Director may determine on a case-by-case basis an alternate acceptable level through statistical analyses of the dose response curve.

(2) Acute to Chronic Ratio (ACR) means the ratio of acute toxicity expressed as an LC50 for a specific toxicant or an effluent to the chronic value for the same toxicant or effluent.

(3) Agricultural uses include the use of waters for stock watering, irrigation, and other farm purposes.

(4) Applicator means any person, firm, corporation, wholesaler, retailer, distributor, any local, state, or federal governmental agency, or any other person who applies fertilizer to the land of a consumer or client or to land they own or to land which they lease or otherwise hold rights.

(5) Approved treatment, as applied to water supplies, means treatment accepted as satisfactory by the Division of Environmental Health or Division of Water Quality.

(6) Average (except bacterial) means arithmetical average and includes the analytical results of all samples taken during the specified period; all sampling shall be done as to obtain the most representative sample under prevailing conditions:

(a) Daily Average for dissolved oxygen, shall be of at least four samples;

(b) Weekly Average means the average of all daily composite samples obtained during the calendar week. If only one grab sample is taken each day, the weekly average is the average of all daily grab samples. A minimum of three daily grab samples is needed to calculate a weekly average.

(c) Monthly Average means the average of all daily composites (or grab samples if only one per day) obtained during the calendar month.

The definitions in this Paragraph do not affect the monitoring requirements for NPDES permits but rather shall be used by the Division along with other methodologies in determining violations of water quality standards. Arithmetical averages as defined by this Section, and not confidence limits nor other statistical descriptions, shall be used in all calculations of limitations which require the use of averages pursuant to this Section and 40 CFR 122.41(l)(4)(iii).

(7) Best Management Practice (BMP) means a structural or nonstructural management-based practice used singularly or in combination to reduce nonpoint source inputs to receiving waters in order to achieve water quality protection goals.

(8) Best usage of waters as specified for each class means those uses as determined by the Environmental Management Commission in accordance with the provisions of G.S. 143-214.1.

(9) Bioaccumulation factor (BAF) is a unitless value that describes the degree to which substances are taken up or accumulated into tissues of aquatic organisms from water directly and from food or other ingested materials containing the accumulated substances, and is usually measured as a ratio of a substance's concentration in tissue versus its concentration in water in situations where exposure to the substance is occurring from both water and the food chain.

(10) Bioconcentration factor (BCF) is a unitless value that describes the degree to which substances are absorbed or concentrated into tissues of aquatic organisms from water directly and is usually measured as a ratio of substance's concentration in tissue versus its concentration in water in situations where exposure to the substance is occurring from water only.

(11) Biological integrity means the ability of an aquatic ecosystem to support and maintain a balanced and indigenous community of organisms having species composition, diversity, population densities and functional organization similar to that of reference conditions.

(12) Buffer means a natural or vegetated area through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer shall be measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

(13) Built-upon area means that portion of a development project that is covered by impervious or partially impervious cover including buildings, pavement, gravel areas (e.g. roads, parking lots, paths), recreation facilities (e.g. tennis courts), etc. (Note: Wooden slatted decks and the water area of a swimming pool are considered pervious.)

(14) Chronic toxicity to aquatic life means any harmful effect sustained by either resident aquatic populations or indicator species used as test organisms in a

controlled toxicity test due to long-term exposure (relative to the life cycle of the organism) or exposure during a substantial portion of the duration of a sensitive period of the life cycle to a specific chemical substance or mixture of chemicals (as in an effluent). In absence of extended periods of exposure, early life stage or reproductive toxicity tests may be used to define chronic impacts.

(15) Chronic value for aquatic life means the geometric mean of two concentrations identified in a controlled toxicity test as the No Observable Effect Concentration (NOEC) and the Lowest Observable Effect Concentration (LOEC).

(16) Cluster development means the grouping of buildings in order to conserve land resources and provide for innovation in the design of the project including minimizing stormwater runoff impacts. This term includes nonresidential development as well as single-family residential and multi-family developments. For the purpose of Sections .0100, .0200 and .0300 of this Subchapter, planned unit developments and mixed use development shall be considered as cluster development.

(17) Commercial applicator means any person, firm, corporation, wholesaler, retailer, distributor or any other person who for hire or compensation applies fertilizer to the land of a consumer or client.

(18) Concentrations are the mass of a substance per volume of water and for the purposes of this Section shall be expressed as milligrams per liter (mg/l), micrograms per liter (ug/l), or nanograms per liter (ng/l).

(19) Contiguous refers to those wetlands landward of the mean high water line or normal water level and within 575 feet of classified surface waters which appear as solid blue lines on the most recently published versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps.

(20) Critical area means the area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending either ½ mile from the normal pool elevation of the reservoir in which the intake is located or to the ridge line of the watershed (whichever comes first); or ½ mile upstream from and draining to the intake (or other appropriate downstream location associated with the water supply) located directly in the stream or river (run-of-the-river), or to the ridge line of the watershed (whichever comes first). Since WS-1 watersheds are essentially undeveloped, establishment of a critical area is not required. Local governments may extend the critical area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the critical area if these landmarks are immediately adjacent to the appropriate outer boundary of ½ mile. The Commission may adopt a different critical area size during the reclassification process.

(21) Cropland means agricultural land that is not covered by a certified animal waste management plan and is used for growing corn, grains, oilseed crops, cotton, forages, tobacco, beans, or other vegetables or fruits.

(22) Designated Nonpoint Source Agency means those agencies specified by the Governor in the North Carolina Nonpoint Source Management Program, as approved by the Environmental Protection Agency.

(23) Development means any land disturbing activity which adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

(24) Director means the Director of the Division of Water Quality.

(25) Discharge is the addition of any man-induced waste effluent either directly or indirectly to state surface waters.

(26) Division means the Division of Water Quality or its successors.

(27) Domestic wastewater discharge means the discharge of sewage, non-process industrial wastewater, other domestic wastewater or any combination of these items. Domestic wastewater includes, but is not limited to, liquid waste generated by domestic water using fixtures and appliances, from any residence, place of business, or place of public assembly even if it contains no sewage. Examples of domestic wastewater include once-through non-contact cooling water, seafood packing facility discharges and wastewater from restaurants.

(28) Effluent channel means a discernable confined and discrete conveyance which is used for transporting treated wastewater to a receiving stream or other body of water as provided in Rule .0215 of this Section.

(29) Existing development, for projects that do not require a state permit, shall be defined as those projects that are built or those projects that at a minimum have established a vested right under North Carolina zoning law as of the effective date of the local government water supply ordinance, or such earlier time that an affected local government's ordinances shall specify, based on at least one of the following criteria:

(a) substantial expenditures of resources (time, labor, money) based on a good faith reliance upon having received a valid local government approval to proceed with the project, or

(b) having an outstanding valid building permit in compliance with G.S. 153A-344.1 or G.S. 160A-385.1, or

(c) having an approved site specific or phased development plan in compliance with G.S. 153A-344.1 or G.S. 160A-385.1.

For projects that require a state permit, such as landfills, NPDES wastewater discharges, land application of

residuals and road construction activities, existing development shall be defined as those projects that are built or those projects for which a state permit was issued prior to August 3, 1992.

(30) Existing uses mean uses actually attained in the water body, in a significant and not incidental manner, on or after November 28, 1975, whether or not they are included in the water quality standards, which either have been actually available to the public or are uses deemed attainable by the Environmental Management Commission. At a minimum, uses shall be deemed attainable if they can be achieved by the imposition of effluent limits and cost-effective and reasonable best management practices (BMPs) for nonpoint source control.

(31) Family subdivision means a division of a tract of land:
- (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as a gift or for nominal consideration, but only if no more than one parcel is conveyed by the grantor from the tract to any one relative; or
- (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

(32) Fertilizer means any substance containing nitrogen or phosphorus which is used primarily for its plant food content.

(33) Fishing means the taking of fish by sport or commercial methods as well as the consumption of fish or shellfish or the propagation of fish and such other aquatic life as is necessary to provide a suitable environment for fish.

(34) Forest vegetation means the plants of an area which grow together in disturbed or undisturbed conditions in various wooded plant communities in any combination of trees, saplings, shrubs, vines and herbaceous plants. This includes mature and successional forests as well as cutover stands.

(35) Freshwater means all waters that under natural conditions would have a chloride ion content of 500 mg/l or less.

(36) Industrial discharge means the discharge of industrial process treated wastewater or wastewater other than sewage. Stormwater shall not be considered to be an industrial wastewater unless it is contaminated with industrial wastewater. Industrial discharge includes:
- (a) wastewater resulting from any process of industry or manufacture, or from the development of any natural resource;
- (b) wastewater resulting from processes of trade or business, including wastewater from laundromats and car washes, but not wastewater from restaurants; or
- (c) wastewater discharged from a municipal wastewater treatment plant requiring a pretreatment program.

(37) Land-disturbing activity means any use of the land that results in a change in the natural cover or topography that may cause or contribute to sedimentation.

(38) LC50 means that concentration of a toxic substance which is lethal (or immobilizing, if appropriate) to 50 percent of the organisms tested during a specified exposure period. The LC50 concentration for toxic materials shall be determined for sensitive species as defined by Subparagraph (43) of this Rule under aquatic conditions characteristic of the receiving waters.

(39) Local government means a city or county in singular or plural as defined in G.S. 160A-1(2) and G.S. 158A-10.

(40) Lower piedmont and coastal plain waters mean those waters of the Catawba River Basin below Lookout Shoals Dam; the Yadkin River Basin below the junction of the Forsyth, Yadkin, and Davie County lines; and all of the waters of Cape Fear, Lumber, Roanoke, Neuse, Tar-Pamlico, Chowan, Pasquotank, and White Oak River Basins; except tidal salt waters which are assigned S classifications.

(41) MF is an abbreviation for the membrane filter procedure for bacteriological analysis.

(42) Major variance means a variance from the minimum statewide watershed protection rules that results in the relaxation, by a factor greater than five percent of any buffer, density or built-upon area requirement under the high density option; any variation in the design, maintenance or operation requirements of a wet detention pond or other approved stormwater management system; or relaxation by a factor greater than 10 percent, of any management requirement under the low density option.

(43) Minor variance means a variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five percent of any buffer, density or built-upon area requirement under the high density option; or that results in a relaxation by a factor up to 10 percent, of any management requirement under the low density option.

(44) Mixing zone means a region of the receiving water in the vicinity of a discharge within which dispersion and dilution of constituents in the discharge occurs and such zones shall be subject to conditions established in accordance with 15A NCAC 2B .0204(b).

(45) Mountain and upper piedmont waters mean all of the waters of the Hiwassee; Little Tennessee, including the Savannah River drainage area; French Broad; Broad; New; and Watauga River Basins; and those portions of the Catawba River Basin above Lookout Shoals Dam and the Yadkin River Basin above the junction of the Forsyth, Yadkin, and Davie County lines.

(46) Nonconforming lot of record means a lot described by a plat or a deed that was recorded prior to the effective date of local watershed regulations (or their

amendments) that does not meet the minimum lot-size or other development requirements of Rule .0211 of this Subchapter.

(47) Nonpoint source pollution means pollution which enters waters mainly as a result of precipitation and subsequent runoff from lands which have been disturbed by man's activities and includes all sources of water pollution which are not required to have a permit in accordance with G.S. 143-215.1(c).

(48) Non-process discharge means industrial effluent not directly resulting from the manufacturing process. An example would be non-contact cooling water from a compressor.

(49) Nutrient sensitive waters mean those waters which are so designated in the classification schedule in order to limit the discharge of nutrients (usually nitrogen and phosphorus). They are designated by "NSW" following the water classification.

(50) Offensive condition means any condition or conditions resulting from the presence of sewage, industrial wastes or other wastes within the waters of the state or along the shorelines thereof which shall either directly or indirectly cause foul or noxious odors, unsightly conditions, or breeding of abnormally large quantities of mosquitoes or other insect pests, or shall damage private or public water supplies or other structures, result in the development of gases which destroy or damage surrounding property, herbage or grasses, or which may cause the impairment of taste, such as from fish flesh tainting, or affect the health of any person residing or working in the area.

(51) Primary Nursery Areas (PNAs) are tidal saltwaters which provide essential habitat for the early development of commercially important fish and shellfish and are so designated by the Marine Fisheries Commission.

(52) Primary recreation includes swimming, skin diving, skiing, and similar uses involving human body contact with water where such activities take place in an organized or on a frequent basis.

(53) Protected area means the area adjoining and upstream of the critical area in a WS-IV water supply in which protection measures are required. The boundaries of the protected areas are defined as within five miles of the normal pool elevation of the reservoir and draining to water supply reservoirs (measured from the normal pool elevation) or to the ridge line of the watershed (whichever comes first); or 10 miles upstream and draining to the intake located directly in the stream or river (run-of-the-river), or to the ridge line of the watershed (whichever comes first). Local governments may extend the protected area. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the protected area if these landmarks are immediately adjacent to the appropriate outer boundary of five or 10 miles. In some cases the protected area shall encompass the entire watershed. The Commission may adopt a different protected area size during the reclassification process.

(54) Residential development means buildings for residence such as attached and detached single family dwellings, apartment complexes, condominiums, townhouses, cottages, and their associated outbuildings such as garages, storage buildings, and gazebos.

(55) Residuals means any solid or demisolid waste generated from a wastewater treatment plant, water treatment plant or air pollution control facility permitted under the authority of the Environmental Management Commission.

(56) Riparian area means an area that is adjacent to a body of water.

(57) Secondary recreation includes wading, boating, other uses not involving human body contact with water, and activities involving human body contact with water where such activities take place on an infrequent, unorganized, or incidental basis.

(58) Sensitive species for aquatic toxicity testing is any species utilized in procedures accepted by the Commission or its designee in accordance with Rule .0103 of this Subchapter, or the following genera:

(a) Daphnia;
(b) Ceriodaphnia;
(c) Salmo;
(d) Pimephales;
(e) Mysidopsis;
(f) Champia;
(g) Cyprinodon;
(h) Arbacia;
(i) Penaeus;
(j) Menidia;
(k) Notropis;
(l) Salvelinus;
(m) Oncorhynchus;
(n) Selenastrum;
(o) Chironomus;
(p) Hyalella;
(q) Lumbriculus.

(59) Shellfish culture includes the use of waters for the propagation, storage and gathering of oysters, clams, and other shellfish for market purposes.

(60) Stormwater collection system means any conduit, pipe, channel, curb or gutter for the primary purpose of transporting (not treating) runoff. A stormwater collection system does not include vegetated swales, swales stabilized with armoring or alternative methods where natural topography prevents the use of vegetated swales (subject to case-by-case review), curb outlet systems or pipes used to carry drainage underneath built-upon surfaces that are associated with development controlled by the provisions of 15A NCAC 2H .1003(c)(1).

(61) Source of water supply for drinking, culinary or food-processing purposes means any source, either public or private, the waters from which are used for

human consumption, or used in connection with the processing of milk, beverages, food, or other purpose which requires water suitable for human consumption.

(62) Swamp waters mean those waters which are classified by the Environmental Management Commission and which are topographically located so as to generally have very low velocities and other characteristics which are different from adjacent streams draining steeper topography. They are designated by "Sw" following the water classification.

(63) Tidal salt waters mean all tidal waters which are classified by the Environmental Management Commission which generally have a natural chloride ion content in excess of 500 parts per million and include all waters assigned S classifications.

(64) Toxic substance or toxicant means any substance or combination of substances (including disease-causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions or suppression in reproduction or growth) or physical deformities in such organisms or their offspring.

(65) Trout waters are those waters which have conditions which shall sustain and allow for trout propagation and survival of stocked trout on a year-round basis. These waters shall be classified by the Commission after considering the requirements of Rule .0101(b) and (c) of this Subchapter and include all waters designated by "Tr" in the water classification.

(66) Waste disposal includes the use of waters for disposal of sewage, industrial waste or other waste after approved treatment.

(67) Water dependent structures are those structures for which the use requires access or proximity to or siting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks and bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots and commercial boat storage areas are not water dependent structures.

(68) Water quality based effluent limits and best management practices are limitations or best management practices developed by the Division for the purpose of protecting water quality standards and best usage of surface waters consistent with the requirements of G.S. 143-214.1 and the Federal Water Pollution Control Act as amended.

(69) Waters with quality higher than the standards means all waters for which the determination of waste load allocations (pursuant to Rule .0206 of this Section) indicates that water quality is sufficiently greater than that defined by the standards such that significant pollutant loading capacity still exists in those waters.

(70) Watershed means the entire land area contributing surface drainage to a specific point. For the purpose of the water supply protection rules in 15A NCAC 2B .0104 and .0211 local governments may use major landmarks such as highways or property lines to delineate the outer boundary of the drainage area if these landmarks are immediately adjacent to the ridgeline.

(71) Wetlands are "waters" as defined by G.S. 143-212(6) and are areas that are inundated or saturated by an accumulation of surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands classified as waters of the state are restricted to waters of the United States as defined by 33 CFR 328.3 and 40 CFR 230.3.

History Note: Authority G.S. 143-214.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1995; February 1, 1993; August 3, 1992; August 1, 1990;
RRC Objection Eff. July 18, 1996 due to lack of statutory authority and ambiguity;
Amended Eff. August 1, 1998; October 1, 1996.

.0236 NEUSE RIVER BASIN- NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NITROGEN LOADING REDUCTION

All persons engaging in agricultural operations in the Neuse River Basin, including those related to crops, livestock, and poultry, shall collectively achieve and maintain a 30 percent net total nitrogen loading reduction from the cumulative average 1991-1995 nitrogen loadings. In addition to requirements set forth in general permits for animal operations issued pursuant to G.S. 143-215.10C, these Rules apply to all livestock and poultry operations, regardless of size, in the Neuse River Basin. A management strategy to achieve this reduction is specified in Rule .0238 of this Section.

History Note: Authority G. S. 143.214.1; 143.214.7; 143.215.3(a)(1).
Eff. August 1, 1998.

.0240 NEUSE RIVER BASIN - NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY:NUTRIENT OFFSET PAYMENTS

(a) Nutrient offset payments made as part of fulfilling requirements of the Neuse River Nutrient Sensitive Waters Management Strategy shall be paid to the North Carolina Wetland Restoration Fund. Monies paid to this fund pursuant to this Rule shall be targeted toward restoration of wetlands and riparian areas within the Neuse River Basin.

(b) A cost effectiveness rate shall be established by the Division that represents the cost to achieve a reduction of one kilogram (1 kg) or one pound (1 lb) of total nitrogen per year

through the use of nitrogen reduction measures. The rate shall be periodically updated by the Division based on the availability of new cost or effectiveness data. The rate shall be twenty-three dollars per kilogram per year ($23/kg/year) or eleven dollars per pound per year ($11/lb/year).

(c) The offset payment shall be an amount sufficient to fund 30 years of nitrogen reduction. For loading offset in the wastewater discharge found in rule 15A NCAC 2B .0234, payment shall be made prior to permit issuance. For loading offset in the stormwater rule found in 15A NCAC 2B .0235, payment shall be made prior to approval of the development plan.

(d) The nitrogen reduction credit associated with restored wetlands and riparian areas funded under this Rule shall be awarded exclusively to the person, municipality, discharger or group of dischargers who paid the offset fee.

History Note: Authority G. S. 143-214.1.
Eff. August 1, 1998.

SECTION .0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

.0304 FRENCH BROAD RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Avery County
Buncombe County
Haywood County
Henderson County
Madison County
Mitchell County
Transylvania County
Yancey County

(2) North Carolina Department of Environment and Natural Resources
Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.

(b) Unnamed Streams. Such streams entering Tennessee will be classified "B."

(c) The French Broad River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) September 22, 1976;
(2) March 1, 1977;
(3) August 12, 1979;
(4) April 1, 1983;
(5) August 1, 1984;
(6) August 1, 1985;
(7) February 1, 1986;
(8) May 1, 1987;
(9) March 1, 1989;
(10) October 1, 1989;
(11) January 1, 1990;
(12) August 1, 1990;
(13) August 3, 1992;
(14) October 1, 1993;
(15) July 1, 1995;
(16) November 1, 1995;
(17) January 1, 1996;
(18) April 1, 1996;
(19) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective March 1, 1989 as follows:

(1) Cataloochee Creek (Index No. 5-41) and all tributary waters were reclassified from Class C-trout and Class C to Class C-trout ORW and Class C ORW.
(2) South Fork Mills River (Index No. 6-54-3) down to Queen Creek and all tributaries were reclassified from Class WS-I and Class WS-III-trout to Class WS-I ORW and Class WS-III-trout ORW.

(e) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective October 1, 1989 as follows: Cane River (Index No. 7-3) from source to Bowlens Creek and all tributaries were reclassified from Class C trout and Class C to Class WS-III trout and Class WS-III.

(f) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective January 1, 1990 as follows: North Toe River (Index No. 7-2) from source to Cathis Creek (Christ Branch) and all tributaries were reclassified from Class C trout and Class C to Class WS-III trout and Class WS-III.

(g) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective October 1, 1993 as follows: Reasonover Creek [Index No. 6-38-14-(1)] from source to Reasonover Lake Dam and all tributaries were reclassified from Class B Trout to Class WS-V and B Trout, and Reasonover Creek [Index No. 6-38-14-(4)] from Reasonover Lake Dam to Lake Julia Dam and all tributaries were reclassified from Class C Trout to Class WS-V Trout.

(i) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective July 1, 1995 with the reclassification of Cane Creek [Index Nos. 6-57-(1) and 6-57-(9)] from its source to the French Broad River from Classes WS-IV and WS-IV Tr to Classes WS-V, WS-V Tr and WS-IV.

(j) The Schedule of Classifications and Water Quality

Standards for the French Broad River Basin was amended effective November 1, 1995 as follows: North Toe River [Index Numbers 7-2-(0.5) and 7-2-(37.5)] from source to a point 0.2 miles downstream of Banjo Branch, including tributaries, has been reclassified from Class WS-III, WS-III Trout and WS-III Trout CA (critical area) to Class WS-IV Trout, WS-IV, WS-IV Trout CA, and C Trout.

(k) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended effective January 1, 1996 as follows: Stokely Hollow [Index Numbers 6-121.5-(1) and 6-121.5-(2)] from source to mouth of French Broad River has been reclassified from Class WS-II and Class WS-II CA to Class C.

(l) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended April 1, 1996 with the reclassification of the French Broad River [Index No. 6-(1)] from a point 0.5 miles downstream of Little River to Mill Pond Creek to Class WS-IV; French Broad River [Index No. 6-(51.5)] from a point 0.6 miles upstream of Mills River to Mills River to Class WS-IV CA (Critical Area), from Mills River to a point 0.1 miles upstream of Boring Mill Branch to Class C; and the Mills River [Index No. 6-54-(5)] was reclassified from City of Hendersonville water supply intake to a point 0.7 miles upstream of mouth of Mills River to Class WS-III, and from a point 0.7 miles upstream of mouth of Mills River to French Broad River to Class WS- III CA (Critical Area).

(m) The Schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended August 1, 1998 with the revision to the primary classification for portions of the French Board River [Index No. 6-(38.5)] and the North Toe River 7-2-(10.5) from Class IV to Class C.

(n) The schedule of Classifications and Water Quality Standards for the French Broad River Basin was amended August 1, 1998 with the reclassification of Clear Creek [Index No. 6-55-(1)] from its source to Lewis Creek from Class C Tr to Class B Tr.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; April 1, 1994; February 1, 1993; August 3, 1992; April 1, 1992.

.0306 BROAD RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Buncombe County
Cleveland County
Gaston County
Henderson County
Lincoln County
McDowell County
Polk County
Rutherford County

(2) North Carolina Department of Environment and Natural Resources:

(A) Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina

(B) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.

(b) Unnamed Streams. Such streams entering South Carolina are classified "C."

(c) The Broad River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) March 1, 1977;
(2) February 12, 1979;
(3) August 12, 1979;
(4) April 1, 1983;
(5) February 1, 1986;
(6) August 3, 1992;
(7) September 1, 1994;
(8) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the Broad River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(e) The Schedule of Classifications and Water Quality Standards for the Broad River Basin was amended effective September 1, 1994 with the reclassification of the Second Broad River [Index No. 9-41-(0.5)] from its source to Roberson Creek including associated tributaries was reclassified from Class WS-V to Classes WS-V, WS-IV and WS-IV CA.

(f) The Schedule of Classifications and Water Quality Standards for the Broad River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the Broad River [Index No. 9-(23.5)] from Class WS-IV to Class C and Second Broad River [Index Nos. 9-41-(10.5) and 9-41-(14.5)] and First Broad River [Index No. 9-50-(11)] from Class WS-IV to Class WS-V.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; September 1, 1994; August 3, 1992; February 1, 1986; January 1, 1985.

.0307 NEW RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Alleghany County
Ashe County

Watauga County

(2) North Carolina Department of Environment and Natural Resources:

(A) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina

(B) Winston-Salem Regional Office
8025 North Point Boulevard, Suite 100
Winston-Salem, North Carolina.

(b) Unnamed Streams. Such streams entering the State of Tennessee are classified "C."

(c) The New River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) August 10, 1980;
(2) April 1, 1983;
(3) February 1, 1986;
(4) August 1, 1989;
(5) August 1, 1990;
(6) August 3, 1992;
(7) February 1, 1993;
(8) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the New River Basin was amended effective July 1, 1989 as follows:

(1) South Fork New River [Index No. 10-1-(30)] from Dog Creek to New River and all tributary waters were reclassified from Class C-trout and Class C to Class B-trout and B.

(e) The Schedule of Classifications and Water Quality Standards for the New River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(f) The Schedule of Classifications and Water Quality Standards for the New River Basin has been amended effective February 1, 1993 as follows:

(1) the South Fork New River (Index No. 10-1-33.5) from Dog Creek to the New River was reclassified from Class B HQW to Class B ORW;
(2) the New River (Index No. 10) from the confluence of the North And South Fork New Rivers to the last point at which it crosses the NC/VA State line was reclassified from Class C HQW to Class C ORW; and
(3) Old Field Creek (Index No. 10-1-22) from Call Creek to the South Fork New River, and Call Creek (Index No. 10-1-22-1) from its source to Old Field Creek were reclassified from Class WS-IV Trout to Class WS-IV Trout ORW.

(g) The Schedule of Classifications and Water Quality Standards for the New River Basin was amended effective August 1, 1998 with the revision to the primary classification for a portion of the South Fork New River [Index No. 10-1 (20.5)] from Class WS-IV to Class WS-V.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; February 1, 1993; August 3, 1992; August 1, 1990; August 1, 1989.

.0308 CATAWBA RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Alexander County
Avery County
Burke County
Caldwell County
Catawba County
Gaston County
Iredell County
Lincoln County
McDowell County
Mecklenburg County
Union County
Watauga County

(2) North Carolina Department of Environment and Natural Resources:

(A) Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina

(B) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.

(b) Unnamed Streams. Such streams entering South Carolina are classified "C."

(c) The Catawba River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) March 1, 1977;
(2) August 12, 1979;
(3) April 1, 1982;
(4) January 1, 1985;
(5) August 1, 1985;
(6) February 1, 1986;
(7) March 1, 1989;
(8) May 1, 1989;
(9) March 1, 1990;
(10) August 1, 1990;
(11) August 3, 1992;
(12) April 1, 1994;
(13) July 1, 1995;
(14) September 1, 1996;
(15) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective

March 1, 1989 as follows:

(1) Wilson Creek (Index No. 11-38-34) and all tributary waters were reclassified from Class B-trout and Class C-trout to Class B-trout ORW and Class C-trout ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective May 1, 1989 as follows:

(1) Henry Fork [Index Nos. 11-129-1-(1) and 11-129-1-(2)] from source to Laurel Creek, including all tributaries, were reclassified from Class WS-I, C and C trout to Class WS-I ORW, C ORW and C trout ORW, except Ivy Creek and Rock Creek which will remain Class C trout and Class C.

(2) Jacob Fork [Index Nos. 11-129-2-(1) and 11-129-2-(4)] from source to Camp Creek, including all tributaries, were reclassified from Class WS-III trout and WS-III to WS-III trout ORW and WS-III ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective March 1, 1990 as follows:

(1) Upper Creek [Index No. 11-35-2-(1)] from source to Timbered Branch including all tributaries except Timbered Branch (Index No. 11-35-2-9) was reclassified from Class C Trout to Class C Trout ORW.

(2) Steels Creek [Index No. 11-35-2-12(1)] from source to Little Fork and all tributaries was reclassified from Class C Trout to Class C Trout ORW.

(g) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective April 1, 1994 as follows:

(1) Friday Lake (Index No. 11-125.5) from its source to Little Paw Creek was reclassified from Class C to Class B.

(2) The Linville River [Index No. 12-29-(1)] from Grandmother Creek to Linville Falls was reclassified from Class C Tr to Class B Tr.

(i) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective July 1, 1995 with the reclassification of Clark Creek from a point 0.6 mile downstream of Catawba County SR 2014 to 0.4 mile upstream of Larkard Creek [Index No. 11-129-5-(4.5)], and Howards Creek from its source to 0.7 mile upstream of Lincoln County State Road 1200 [Index No. 11-129-4], including associated tributaries from Class WS-IV to Classes C and WS-IV.

(j) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective September 1, 1996 as follows:

(1) North Fork Catawba River [Index No. 11-24-(1)] from Laurel Branch to Armstrong Creek from Class C Tr to Class B Tr; and

(2) Catawba River (Lake Hickory) from Rhodhiss dam to highway 321 [Index No. 11-(51)] from Class WS-IVCA to Class WS-IV&B CA.

(k) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the South Fork Catawba River [Index No. 11-129-(0.5)] and Hoyle Creek [Index No. 11-129-15-(1)] from Class WS-IV to Class WS-V.

(l) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 as follows:

(1) Mill Creek [Index No. 11-7] from its source to Swannanoa Creek, including all tributaries, from Class C Tr to Class C Tr HQW; and

(2) Toms Creek [Index Nos 11-21-(1) and 11-21-(2)] from its source to Harris Creek, including all tributaries, from Class C Tr to Class C Tr HQW and from Harris Creek to McDowell County SR 1434, including all tributaries, from Class C to Class C HQW.

(m) The Schedule of Classifications and Water Quality Standards for the Catawba River Basin was amended effective August 1, 1998 with the reclassification of Howards Creek [Index No. 11-129-4-(0.7)] from Class WS-IV to Class C; Clarks Creek [Index No. 11-129-5-(7.5)] from Class WS-IV to Class C; Indian Creek [Index No. 11-129-8-(5)] from Class WS-IV to Class C; and Beaver Creek [Index No. 11-129-9] from Class WS-IV to Class C.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; September 1, 1996; July 1, 1995; April 1, 1994; August 3, 1992; August 1, 1990.

.0309 YADKIN-PEE DEE RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Alexander County
Anson County
Cabarrus County
Caldwell County
Davidson County
Davie County
Forsyth County
Guilford County

Iredell County
Mecklenburg County
Montgomery County
Randolph County
Richmond County
Rowan County
Stanly County
Stokes County
Surry County
Union County
Watauga County
Wilkes County
Yadkin County

(2) North Carolina Department of Environment and Natural Resources:

(A) Mooresville Regional Office
919 North Main Street
Mooresville, North Carolina

(B) Winston-Salem Regional Office
8025 North Point Boulevard, Suite 100
Winston-Salem, North Carolina

(C) Fayetteville Regional Office
Wachovia Building
Suite 714
Fayetteville, North Carolina

(D) Asheville Regional Office
Interchange Building
59 Woodfin Place
Asheville, North Carolina.

(b) Unnamed Streams. Such streams entering Virginia are classified "C," and such streams entering South Carolina are classified "C."

(c) The Yadkin-Pee Dee River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) February 12, 1979;
(2) March 1, 1983;
(3) August 1, 1985;
(4) February 1, 1986;
(5) October 1, 1988;
(6) March 1, 1989;
(7) January 1, 1990;
(8) August 1, 1990;
(9) January 1, 1992;
(10) April 1, 1992;
(11) August 3, 1992;
(12) December 1, 1992;
(13) April 1, 1993;
(14) September 1, 1994;
(15) August 1, 1995;
(16) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standard for the Yadkin-Pee Dee River Basin has been amended effective October 1, 1988 as follows:

(1) Mitchell River [Index No. 12-62-(1)] from source to mouth of Christian Creek (North Fork Mitchell River) including all tributaries has been reclassified from Class B Tr to Class B Tr ORW.

(2) Mitchell River [Index No. 12-62-(7)] from mouth of Christian Creek (North Fork Mitchell River) to Surry County SR 1315 including all tributaries has been classified from Class C Tr to C Tr ORW, except Christian Creek and Robertson Creek which will be reclassified from Class B Tr to Class B Tr ORW.

(3) Mitchell River [Index No. 12-62-(12)] from Surry County SR 1315 to mouth of South Fork Mitchell River including all tributaries from Class C to Class C ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin was amended effective March 1, 1989 as follows:

(1) Elk Creek [Index Nos. 12-24-(1) and 12-24-(10)] and all tributary waters were reclassified from Class B-trout, Class C-trout and Class B to Class B-trout ORW, Class C-trout ORW and Class B ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin was amended effective January 1, 1990 as follows: Barnes Creek (Index No. 13-2-18) was reclassified from Class C to Class C ORW.

(g) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin has been amended effective January 1, 1992 as follows:

(1) Little River [Index Nos. 13-25-(10) and 13-25-(19)] from Suggs Creek to Densons Creek has been reclassified from Classes WS-III and C to Classes WS-III HQW and C HQW.

(2) Densons Creek [Index No. 13-25-20-(1)] from its source to Troy's Water Supply Intake including all tributaries has been reclassified from Class WS-III to Class WS-III HQW.

(3) Bridgers Creek (Index No. 13-25-24) from its source to the Little River has been reclassified from Class C to Class C HQW.

(h) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin was amended effective April 1, 1992 with the reclassification of the North Prong South Fork Mitchell River from Class C to Class C Trout.

(i) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(j) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin has been amended effective December 1, 1992 as follows:

(1) Pike Creek (Index No. 12-46-1-2) was reclassified

from Class C Tr to Class C Tr HQW;

(2) Basin Creek (Index No. 12-46-2-2) was reclassified from Class C Tr to Class C Tr ORW;

(3) Bullhead Creek (Index No. 12-46-4-2) was reclassified from Class C Tr to Class C Tr ORW;

(4) Rich Mountain Creek (Index No. 12-46-4-2-2) was reclassified from Class Tr to Class C Tr ORW; and

(5) Widows Creek (Index No. 12-46-4-4) was reclassified from Class C Tr HQW to Class C Tr ORW.

(k) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin has been amended effective September 1, 1994 as follows:

(1) Lanes Creek [Index Nos. 13-17-40-(1) and 13-17-40-(10.5)] from its source to the Marshville water supply dam including tributaries was reclassified from Classes WS-II and WS-II CA to Class WS-V.

(2) The South Yadkin River [Index Nos. 12-108-(9.7) and 12-108-(15.5)] from Iredell County SR 1892 to a point 0.7 mile upstream of the mouth of Hunting Creek including associated tributaries was reclassified from Classes WS-V, C and WS-IV to Classes WS-V, WS-IV, C and WS-IV CA.

(3) The Yadkin River [Index Nos. 12-(53) and 12-(71)] from a point 0.3 mile upstream of the mouth of Elkin Creek (River) to the Town of King water supply intake including associated tributaries was reclassified from Classes C and WS-IV to Classes WS-IV and WS-IV CA.

(4) The Yadkin River [Index Nos. 12-(80.5), 12-(81.5) and 12-(84.5)] from the Town of King water supply intake to the Davie County water supply intake reclassified from Classes C, B, WS-IV and WS-V to Classes WS-IV, WS-IV&B and WS-IV CA.

(l) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin has been amended effective August 1, 1995 as follows: Bear Creek [Index Nos. 12-108-18-(3), 12-108-18-(3.3)], Little Bear Creek (Index No. 12-108-18-2), and Blue Branch (Index No. 12-108-18-2-1) were reclassified from WS-II and WS-II CA (Critical Area) to C and WS-IV.

(m) The Schedule of Classifications and Water Quality Standards for the Yadkin-Pee Dee River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the Yadkin River [Index No. 12-(45)] from Class WS-IV to WS-V, Yadkin River [Index No. 12-(67.5)] from Class WS-IV to Class C, Yadkin River [Index Nos. 12-(93.5) and 12-(98.5)] from Class WS-IV to Class WS-V, South Yadkin River [Index No. 12-108-(12.5)] from Class WS-IV to Class WS-V, and South Yadkin River [Index Nos. 12-108(19.5) and 12-108-(22)] from Class WS-IV to Class C.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; August 1, 1995; September 1, 1994; April 1, 1993; December 1, 1992.

.0311 CAPE FEAR RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Alamance County
Bladen County
Brunswick County
Caswell County
Chatham County
Columbus County
Cumberland County
Duplin County
Durham County
Forsyth County
Guilford County
Harnett County
Hoke County
Lee County
Montgomery County
Moore County
New Hanover County
Onslow County
Orange County
Pender County
Randolph County
Rockingham County
Sampson County
Wake County
Wayne County

(2) North Carolina Department of Environment and Natural Resources:

(A) Winston-Salem Regional Office
8025 North Point Boulevard, Suite 100
Winston-Salem, North Carolina

(B) Fayetteville Regional Office
Wachovia Building
Suite 714
Fayetteville, North Carolina

(C) Raleigh Regional Office
3800 Barrett Drive
Raleigh, North Carolina

(D) Washington Regional Office
1424 Carolina Avenue
Washington, North Carolina

(E) Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, North Carolina.

(b) The Cape Fear River Basin Schedule of Classification and Water Quality Standards was amended effective:

(1) March 1, 1977;
(2) December 13, 1979;
(3) December 14, 1980;
(4) August 9, 1981;
(5) April 1, 1982;
(6) December 1, 1983;
(7) January 1, 1985;
(8) August 1, 1985;
(9) December 1, 1985;
(10) February 1, 1986;
(11) July 1, 1987;

(12) October 1, 1987;
(13) March 1, 1988;
(14) June 1, 1988;
(15) July 1, 1988;
(16) January 1, 1990;
(17) August 1, 1990;
(18) August 3, 1992;
(19) September 1, 1994;
(20) August 1, 1998.

(c) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective June 1, 1988 as follows:

(1) Cane Creek [Index No. 16-21-(1)] from source to a point 0.5 mile north of N.C. Hwy. 54 (Cane Reservoir Dam) including the Cane Creek Reservoir and all tributaries has been reclassified from Class WS-III to WS-I.

(2) Morgan Creek [Index No. 16-41-1-(1)] to the University Lake dam including University Lake and all tributaries has been reclassified from Class WS-III to WS-I.

(d) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective July 1, 1988 by the reclassification of Crane Creek (Crains Creek) [Index No. 18-23-16-(1)] from source to mouth of Beaver Creek including all tributaries from C to WS-III.

(e) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective January 1, 1990 as follows:

(1) Intracoastal Waterway (Index No. 18-87) from southern edge of White Oak River Basin to western end of Permuda Island (a line from Morris Landing to Atlantic Ocean), from the eastern mouth of Old Topsail Creek to the southwestern shore of Howe Creek and from the southwest mouth of Shinn Creek to channel marker No. 153 including all tributaries except the King Creek Restricted Area, Hardison Creek, Old Topsail Creek, Mill Creek, Futch Creek and Pages Creek were reclassified from Class SA to Class SA ORW.

(2) Topsail Sound and Middle Sound ORW Area which includes all waters between the Barrier Islands and the Intracoastal Waterway located between a line running from the western most shore of Mason Inlet to the southwestern shore of Howe Creek and a line running from the western shore of New Topsail Inlet to the eastern mouth of Old Topsail Creek was reclassified from Class SA to Class SA ORW.

(3) Masonboro Sound ORW Area which includes all waters between the Barrier Islands and the mainland from a line running from the southwest mouth of Shinn Creek at the Intracoastal Waterway to the southern shore of Masonboro Inlet and a line running from the Intracoastal Waterway Channel marker No. 153 to the southside of the Carolina Beach Inlet was reclassified from Class SA to Class SA ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin has been amended effective January 1, 1990 as follows: Big Alamance Creek [Index No. 16-19-(1)] from source to Lake Mackintosh Dam including all tributaries has been reclassified from Class WS-III NSW to Class WS-II NSW.

(g) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective June 1, 1994 as follows:

(1) The Black River from its source to the Cape Fear River [Index Nos. 18-68-(0.5), 18-68-(3.5) and 18-65-(11.5)] was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.

(2) The South River from Big Swamp to the Black River [Index Nos. 18-68-12-(0.5) and 18-68-12(11.5)] was reclassified from Classes C Sw and C Sw HQW to Class C Sw ORW.

(3) Six Runs Creek from Quewhiffle Swamp to the Black River [Index No. 18-68-2] was reclassified from Class C Sw to Class C Sw ORW.

(i) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective September 1, 1994 with the reclassification of the Deep River [Index No. 17-(36.5)] from the Town of Gulf-Goldston water supply intake to US highway 421 including associated tributaries from Class C to Classes C, WS-IV and WS-IV CA.

(j) The Schedule of Classifications and Water Quality Standards for the Cape Fear River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the Deep River [Index No. 17-(28.5)] from Class WS-IV to Class WS-V, Deep River [Index No. 17-(41.5)] from Class WS-IV to Class C, and the Cape Fear River [Index 18-(10.5)] from Class WS-IV to Class WS-V.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; September 1, 1994; June 1, 1994; August 3, 1992; August 1, 1990.

.0316 TAR-PAMLICO RIVER BASIN

(a) The schedule may be inspected at the following places:

(1) Clerk of Court:
Beaufort County
Dare County

Edgecombe County
Franklin County
Granville County
Halifax County
Hyde County
Martin County
Nash County
Pamlico County
Person County
Pitt County
Vance County
Warren County
Washington County
Wilson County

(2) North Carolina Department of Environment and Natural Resources:
(A) Raleigh Regional Office
3800 Barrett Drive
Raleigh, North Carolina
(B) Washington Regional Office
1424 Carolina Avenue
Washington, North Carolina.

(b) Unnamed Streams. All drainage canals not noted in the schedule are classified "C Sw," except the main drainage canals to Pamlico Sound and its bays which shall be classified "SC."

(c) The Tar-Pamlico River Basin Schedule of Classification and Water Quality Standards was amended effective:
(1) March 1, 1977;
(2) November 1, 1978;
(3) June 8, 1980;
(4) October 1, 1983;
(5) June 1, 1984;
(6) August 1, 1985;
(7) February 1, 1986;
(8) August 1, 1988;
(9) January 1, 1990;
(10) August 1, 1990;
(11) August 3, 1992;
(12) April 1, 1994;
(13) January 1, 1996;
(14) September 1, 1996;
(15) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin has been amended effective August 1, 1988 as follows:
(1) Tar River (Index No. 28-94) from a point 1.2 miles downstream of Broad Run to the upstream side of Tranters Creek from Class C to Class B.

(e) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin has been amended effective January 1, 1990 by the reclassification of Pamlico River and Pamlico Sound [Index No. 29-(27)] which includes all waters within a line beginning at Juniper Bay Point and running due south to Lat. 35° 18' 00", long. 76° 13' 20", thence due west to lat. 35° 18' 00", long 76° 20' 00", thence northwest to Shell Point and including Shell Bay, Swanquarter and Juniper Bays and their tributaries, but excluding the Blowout, Hydeland Canal, Juniper Canal and Quarter Canal were reclassified from Class SA and SC to SA ORW and SC ORW.

(f) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin has been amended effective January 1, 1990 by adding the supplemental classification NSW (Nutrient Sensitive Waters) to all waters in the basin from source to a line across Pamlico River from Roos Point to Persimmon Tree Point.

(g) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(h) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin was amended effective April 1, 1994 with the reclassification of Blounts Creek from Herring Run to Blounts Bay [Index No. 29-9-1-(3)] from Class SC NSW to Class SB NSW.

(i) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin was amended effective January 1, 1996 with the reclassification of Tranters Creek [Index Numbers 28-103- (4.5), 28-103- (13.5), 28-103-(14.5) and 28-103-(16.5)] from a point 1.5 miles upstream of Turkey Swamp to the City of Washington's former auxiliary water supply intake, including tributaries, from Class WS-IV Sw NSW and Class WS-IV CA Sw NSW to Class C Sw NSW.

(j) The Schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin was amended effective September 1, 1996 with the addition of Huddles Cut (previously unnamed in the schedule) classified as SC NSW with an Index No. of 29-25.5.

(k) The schedule of Classifications and Water Quality Standards for the Tar-Pamlico River Basin was amended effective August 1, 1998 with the revision to the primary classification for portions of the Tar River [Index Nos. 28-(1), 28-(15.5), 28-(74)] from Class WS-IV to WS-V.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; September 1, 1996; January 1, 1996; April 1, 1994; August 3, 1992; August 1, 1990.

.0317 PASQUOTANK RIVER BASIN

(a) The schedule may be inspected at the following places:
(1) Clerk of Court:
Camden County
Chowan County
Currituck County

Dare County
Gates County
Hyde County
Pasquotank County
Perquimans County
Tyrrell County
Washington County

(2) North Carolina Department of Environment and Natural Resources:
Washington Regional Office
1424 Carolina Avenue
Washington, North Carolina.

(b) Unnamed Streams. All drainage canals not noted in the schedule are classified "C."

(c) The Pasquotank River Basin Schedule of Classifications and Water Quality Standards was amended effective:

(1) March 1, 1977;
(2) May 18, 1977;
(3) December 13, 1979;
(4) January 1, 1985;
(5) February 1, 1986;
(6) January 1, 1990;
(7) August 1, 1990;
(8) August 3, 1992;
(9) August 1, 1998.

(d) The Schedule of Classifications and Water Quality Standards for the Pasquotank River Basin was amended effective January 1, 1990 by the reclassification of Alligator River [Index Nos. 30-16-(1) and 30-16-(7)] from source to U.S. Hwy. 64 and all tributaries except Swindells Canal, Florida Canal, New Lake, Fairfield Canal, Carters Canal, Dunbar Canal and Intracoastal Waterway (Pungo River - Alligator River Canal) were reclassified from C Sw and SC Sw to C Sw ORW and SC Sw ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Pasquotank River Basin was amended effective August 1, 1990 as follows:

(1) Croatan Sound [Index No. 30-20-(1)] from a point of land on the southern side of mouth of Peter Mashoes Creek on Dare County mainland following a line eastward to Northwest Point on Roanoke Island and then from Northwest Point following a line west to Reeds Point on Dare County mainland was reclassified from Class SC to Class SB.

(2) Croatan Sound [Index No. 30-20-(1.5)] from Northwest Point on Roanoke Island following a line west to Reeds Point on Dare County mainland to William B. Umstead Memorial Bridge was reclassified from Class SC to Class SA.

(f) The Schedule of Classifications and Water Quality Standards for the Pasquotank River Basin was amended effective August 3, 1992 with the reclassification of all water supply waters (waters with a primary classification of WS-I, WS-II or WS-III). These waters were reclassified to WS-I, WS-II, WS-III, WS-IV or WS-V as defined in the revised water supply protection rules, (15A NCAC 2B .0100, .0200 and .0300) which became effective on August 3, 1992. In some cases, streams with primary classifications other than WS were reclassified to a WS classification due to their proximity and linkage to water supply waters. In other cases, waters were reclassified from a WS classification to an alternate appropriate primary classification after being identified as downstream of a water supply intake or identified as not being used for water supply purposes.

(g) The Schedule of Classifications and Water Quality Standards for the Pasquotank River Basin was amended effective August 1, 1998 with the revision to the primary classification for a portion of the Pasquotank River [Index No. 30-3-(1.7)] from Class WS-IV to Class WS-V.

History Note: Authority G.S. 143-214.1; 143-215.1; 143-215.3(a)(1);
Eff. February 1, 1976;
Amended Eff. August 1, 1998; August 3, 1992; August 1, 1990; January 1, 1990; February 1, 1986.

SUBCHAPTER 2D - AIR POLLUTION CONTROL REQUIREMENTS

SECTION .0300 - AIR POLLUTION EMERGENCIES

.0302 EPISODE CRITERIA

Conditions justifying the proclamation of an air pollution alert, air pollution warning, or air pollution emergency shall be deemed to exist whenever the director determines that the accumulation of air contaminants in any place is attaining or has attained levels that could, if such levels are sustained or exceeded, lead to a threat to the health of the public. In making this determination, the director shall be guided by the following criteria:

(1) Air Pollution Forecast. An internal watch by the Division and local air pollution control agencies shall be activated by a National Weather Service advisory that an atmospheric stagnation advisory is in effect, or the equivalent local forecast of stagnant atmospheric conditions.

(2) Alert. The alert level is that concentration of pollutants at which first stage control actions are to begin. The director shall proclaim an alert when any of the following levels is reached at any monitoring site:

(a) sulfur dioxide -- 800 ug/m^3 (0.3 p.p.m.), 24-hour average;
(b) particulate -- 375 ug/m^3, 24-hour average;
(c) sulfur dioxide and particulate combined -- product of sulfur dioxide ug/m^3, 24-hour average, and particulate ug/m^3, 24-hour average, equal to 65,000;
(d) carbon monoxide -- 17 mg/m^3 (15 p.p.m.), eight-hour average;
(e) ozone -- 400 ug/m^3 (0.2 p.p.m.), one-hour average;
(f) nitrogen dioxide -- 1130 ug/m^3 (0.6 p.p.m.), one-hour average; 282 ug/m^3 (0.15 p.p.m.), 24-hour average;
(g) PM10--350 ug/m^3, 24-hour average; and

meteorological conditions are such that pollutant concentrations can be expected to remain at these levels for 12 or more hours or increase or, for ozone, the situation is likely to recur within the next 24-hours unless control actions are taken.

(3) Warning. The warning level indicates that air quality is continuing to degrade and that additional abatement actions are necessary. The Director shall proclaim a warning when any one of the following levels is reached at any monitoring site:

(a) sulfur dioxide -- 1600 ug/m^3 (0.6 p.p.m.), 24-hour average

(b) particulate -- 625 ug/m^3, 24-hour average;

(c) sulfur dioxide and particulate combined -- product of sulfur dioxide ug/m^3, 24-hour average, and particulate ug/m^3, 24-hour average, equal to 261,000;

(d) carbon monoxide -- 34 mg/m^3 (30 p.p.m.), eight-hour average;

(e) ozone -- 800 ug/m^3 (0.4 p.p.m.), one-hour average;

(f) nitrogen dioxide -- 2260 ug/m^3 (1.2 p.p.m.), one-hour average; 565 ug/m^3 (0.3 p.p.m.), 24-hour average;

(g) PM10 -- 420 ug/m^3; 24-hour average; and meteorological conditions are such that pollutant concentrations can be expected to remain at these levels for 12 or more hours or increase or, for ozone, the situation is likely to recur within the next 24 hours unless control actions are taken.

(4) Emergency. The emergency level indicates that air quality is continuing to degrade to a level that should never be reached and that the most stringent control actions are necessary. The Secretary of the Department of Environment and Natural Resources with the concurrence of the Governor shall declare an emergency when any one of the following levels is reached at any monitoring site:

(a) sulfur dioxide -- 2100 ug/m^3 (0.8 p.p.m.), 24-hour average;

(b) particulate -- 875 ug/m^3, 24-hour average;

(c) sulfur dioxide and particulate combined -- product of sulfur dioxide ug/m^3, 24-hour average, and particulate ug/m^3, 24-hour average, equal to 393,000;

(d) carbon monoxide -- 46 mg/m^3 (40 p.p.m.), eight-hour average;

(e) ozone -- 1000 ug/m^3 (0.5 p.p.m.), one-hour average;

(f) nitrogen dioxide -- 3000 ug/m^3 (1.6 p.p.m.), one-hour average; 750 ug/m^3 (0.4 p.p.m.), 24-hour average;

(g) PM10--500 ug/m^3, 24-hour average.

(5) Termination. Once declared any level reached by application of these criteria shall remain in effect until the criteria for that level are no longer met. At that time the next lower level shall be assumed.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.3(a)(12);
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1988; July 1, 1984; June 1, 1980; December 1, 1976.

SECTION .0900 - VOLATILE ORGANIC COMPOUNDS

.0953 VAPOR RETURN PIPING FOR STAGE II VAPOR RECOVERY

(a) Applicability. This Rule applies to any facility located in Davidson, Durham, Forsyth, Gaston, Guilford, Mecklenburg, or Wake counties or the Dutchville Township in Granville county or that portion of Davie County that is bounded by the Yadkin River, Dutchman's Creek, NC Highway 801, Fulton Creek and back to the Yadkin River:

(1) that is built after June 30, 1994, or

(2) whose tanks are replaced or removed for upgrades or repairs after June 30, 1994.

When a new tank is added, the new tank shall comply with this Rule.

(b) Exemptions. The burden of proof of eligibility for exemption from this Rule is on the owner or operator of the facility. Persons seeking an exemption from this Rule shall maintain records of throughput and shall furnish these records to the Director upon request. These records shall be maintained on file for three years. The following facilities are exempt from this Rule based upon the previous two years records:

(1) any facility that dispenses less than 10,000 gallons of gasoline per calendar month;

(2) any facility that dispenses less than 50,000 gallons of gasoline per calendar month and is an independent small business marketer of gasoline;

(3) any facility that dispenses gasoline exclusively for refueling marine vehicles, aircraft, farm equipment, and emergency vehicles; or

(4) any tanks used exclusively to test the fuel dispensing meters.

Any facility that ever exceeds the exemptions given in Subparagraphs (1), (2), (3), or (4) of this Paragraph shall be subject to all of the provisions of this Rule according to the schedule given in Paragraph (e) of this Rule, and shall remain subject to these provisions even if the facility's later operation meets the exemption requirements.

(c) Definitions. For the purpose of this Rule, the following definitions apply:

(1) "Affected Facility" means any gasoline service station or gasoline dispensing facility subject to the requirements of this Rule.

(2) "CARB" means the California Air Resources Board.

(3) "Certified Stage II Vapor Recovery System" means any system certified by the California Air Resources Board as having a vapor recovery or removal efficiency of at least 95 percent by weight.

(4) "Facility" means any gasoline service station or

gasoline dispensing facility.

(5) "ISBM" means independent small business marketer.

(6) "Independent Small Business Marketer of Gasoline" means a facility that qualifies under Section 324 of the Federal Clean Air Act.

(7) "Operator" means any person who leases, operates, controls, or supervises a facility at which gasoline is dispensed.

(8) "Owner" means any person who has legal or equitable title to the gasoline storage tank at a facility.

(9) "Stage II Vapor Recovery" means the control of gasoline vapor at the vehicle fill-pipe, where the vapors are captured and returned to a vapor-tight underground storage tank or are captured and destroyed.

(10) "Throughput" means the amount of gasoline dispensed at a facility during any calendar month.

(11) "Vapor Recovery Dispenser Riser" means piping rising from the vapor recovery piping to the dispenser.

(12) "Vapor Recovery Piping" means vapor return piping connecting the storage tank(s) with the vapor recovery dispenser riser(s).

(d) Requirements. Affected facilities shall install the necessary piping for future installation of CARB certified Stage II vapor recovery system. The vapor piping shall extend from the tanks to the pumps. The vapor piping shall be installed in accordance with the following requirements:

(1) Gasoline vapors shall be:

(A) transferred from each gasoline dispenser to the underground storage tank individually, or

(B) manifolded through a common header from which a single return line is connected through another manifold to all of the underground tanks.

Each vapor return pipe shall allow the transfer of gasoline vapors to the tank from which the liquid gasoline is being drawn;

(2) Pipe diameter shall meet manufacturer's specifications. If the manufacturer does not specify diameters, the following minimum pipe diameters apply. If the manufacturer only specifies diameters for part of the system, the following diameters apply for the pipe(s) not specified. All fittings, connectors, and joints shall have an inside diameter equal to the inside diameter of the pipe to which it is attached. The following diameters are specified for the number of nozzles that may be operated at the same time;

(A) Vapor Recovery Dispenser Risers

(i) Three forths of an inch for vapor recovery dispenser risers returning vapors from 1 nozzle; or

(ii) One inch for vapor recovery dispenser risers returning vapors from 2 nozzles;

(B) Vapor Recovery Piping

(i) Two inches for one, two, or three nozzles;

(ii) Two and one half inches for four or five nozzles;

(iii) Three inches for six, seven, eight, or nine nozzles;

(iv) Three and one half inches for 10, 11, or 12 nozzles; or

(v) Four inches for more than 12 nozzles;

(3) All piping and fittings shall be installed in accordance with manufacturer's instructions and specifications. Metal pipe shall be minimum schedule 40 welded or seamless steel per ASTM A-53, "Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated Welded and Seamless Pipe". Fittings shall be 150 pounds cold water screwed malleable iron. Pipe and fittings shall be galvanized and pipe threads shall be zinc-coated. Nonmetallic pipes and fittings shall be U/L listed under nonmetallic primary pipes and fittings for underground flammable liquids (gas and oil equipment directory);

(4) Each vapor return pipe shall slope toward the storage tank with a minimum grade of 1/4 inches per foot. No low points or sags shall exist along the return piping;

(5) All vapor return and vent piping shall be provided with flexible joints or swing joints at each tank connection and at the base of the vent pipe riser where it fastens to a building or other structure;

(6) All vapor return pipe-trenching shall be compacted to 90 percent of the standard proctor according to ASTM D-698 "Laboratory Compaction Characteristics of Soil Using Standard Effort" of the area soil before the pipes are installed and back-filled with sand or other material approved by the pipe manufacturer at least six inches below and above the piping;

(7) The pipes shall not be driven over or in any other way crushed before paving or surfacing;

(8) The vapor return piping or manifolded piping on a vacuum assisted system shall enter a separate opening to the tank from that connected to the vent pipe or the Stage I piping;

(9) All vapor return piping shall be tagged at the termination point recording the function of the piping. In addition, a record of the installation of the Stage II vapor return piping shall be kept in the facility;

(10) Vent piping shall be constructed of materials in accordance with Subparagraph (3) of this Paragraph;

(11) All vent pipes shall be a minimum of two inches inside diameter or meet the local Fire Codes; and

(12) All vent pipes shall slope toward the underground storage tank with a grade of at least 1/4 inch per linear foot.

(e) Compliance Schedule. Compliance under Paragraph (d) of this Rule by the affected facility shall coincide with the completion of the tank installation or repair. Facilities that lose their exemption under Paragraph (b) of this Rule shall comply with this Rule within 18 months after the day the owner or operator of the facility has been notified by the Director that his exemption under Paragraph (b) of this Rule has been revoked.

(f) Testing Requirements.

(1) Within 30 days after installation of the vapor return piping, the owner or operator of the facility shall

submit reports of the following tests to be completed as described in EPA-450/3-91-022b:

(A) Bay Area Source Test Procedure ST-30, Leak Test Procedure, or San Diego Test Procedure TP-91-1, Pressure Decay/Leak Test Procedure, and

(B) Bay Area Source Test Procedure ST-27, Dynamic Back Pressure, or San Diego Test Procedure TP-91-2, Pressure Drop vs Flow/Liquid Blockage Test Procedure.

(2) Testing shall be in accordance with Rule .0912 of this Section.

(3) The owner or operator of the facility shall notify the Regional Office Supervisor by telephone at least five business days before back-filling the trenches and at least 10 business days before the tests given in Subparagraph (1) of this Paragraph are to be performed to allow inspection by the Division. The owner or operator may commence back-filling five days after notification has been given to the Division.

(4) The owner or operator of the facility and the test contractor shall report all test failures to the Regional Office Supervisor within 24 hours of the failure.

(5) The Director may require the owner or operator of the facility to perform any of the tests in Subparagraph (1) of this Paragraph if there are any modifications or repairs.

(6) Where the Division conducts a test on the vapor control system, it shall be without compensating the owner or operator of the facility for any lost revenues incurred due to the testing procedure.

(g) Referenced documents. EPA-450/3-91-022b, "Technical Guidance - Stage II Vapor Recovery Systems for Control of Vehicle Refueling Emissions at Gasoline Dispensing Facilities, Volume II: Appendices", November 1991, cited in this Rule is hereby incorporated by reference and does not include subsequent amendments or editions. A copy of this document is available for inspection at the Regional Offices of the North Carolina Department of Environment and Natural Resources (Addresses are given in Rule .0103 of this Subchapter). Copies of this document may be obtained through the Library Services Office (MD-35), U.S. Environmental Protection Agency, Research Triangle Park or National Technical Information Services (NTIS), 5285 Port Royal Road, Springfield VA 22161. The NTIS number for this document is PB-92132851, and the cost is fifty-two dollars ($52.00).

History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a); 150B-21.6;
Eff. July 1, 1994;
Amended Eff. July 1, 1998; July 1, 1996.

SECTION .1700 - CONTROL OF EMISSIONS FROM MUNICIPAL SOLID WASTE LANDFILLS

.1708 REPORTING REQUIREMENTS

(a) The owner or operator of a MSW landfill subject to this Rule according to Rule .1702 of this Section shall submit an initial design capacity report to the Director in accordance with the following:

(1) The initial design capacity report shall fulfill the requirements of the notification of the date construction is commenced as required under 40 CFR 60.7(a)(1) and shall be submitted no later than the earliest of the day from the dates given in 40 CFR 60.757(a)(1)(i) through 40 CFR 60.757(a)(1)(iii);

(2) The initial design capacity report shall contain the information given in 40 CFR 60.757(a)(2)(i) and 40 CFR 60.757(a)(2)(ii); and

(3) An amended design capacity report shall be submitted to the Director in accordance with 40 CFR 60.757(a)(3) whenever an increase in the design capacity of the landfill results in the design capacity of the landfill to exceed 2.5 million cubic meters or 2.75 million tons.

(b) The owner or operator of a MSW landfill subject to this Section shall submit a NMOC emission report to the Director initially and annually thereafter, except as provided for in 40 CFR 60.757(b)(1)(ii) or (b)(3). The initial NMOC emission rate report shall be submitted within 90 days of the day waste acceptance commences and may be combined with the initial design capacity report required in Paragraph (a) of this Section. The NMOC emission rate report shall:

(1) contain an annual or five-year estimate of the NMOC emission rate calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable; and

(2) include all the data, calculations, sample reports and measurements used to estimate the annual or five-year emissions.

(c) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall submit a collection and control system design plan to the Director within one year of the first report, required under Paragraph (b) of this Rule, in which the emission rate exceeds 55 tons per year, except as provided for in 40 CFR 60.757(c)(1) and (2).

(d) The owner or operator of a controlled landfill shall submit a closure report to the Director within 30 days of cessation of waste acceptance. If a closure report has been submitted to the Director, no additional waste shall be placed into the landfill without first filing a notification of modification as described under 40 CFR 60.7(a)(4). The Director may request such additional information as may be necessary to verify that permanent closure of the MSW landfill has taken place in accordance with the requirements of 40 CFR 258.60.

(e) The owner or operator of a controlled MSW landfill shall submit an equipment removal report 30 days prior to removal or cessation of operation of the control equipment according to Rule .1703(c) of this Section. The report shall contain the items listed in 40 CFR 60.757(e)(1). The Director may request such additional information as may be reasonably necessary to verify that all the conditions for removal in 40 CFR 60.752(b)(2)(v) have been met.

(f) The owner or operator of a MSW landfill seeking to comply with Rule .1703(b)(2) of this Section using an active collection system designed in accordance with 40 CFR

60.752(b)(2)(ii) shall submit annual reports of the recorded information in 40 CFR 60.757(f)(1) through (f)(6). The initial annual report shall be submitted within 180 days of installation and start-up of the collection and control system, and shall include the initial performance test report required under 40 CFR 60.8.

(g) The owner or operator of a MSW landfill seeking to comply with Rule .1703(b)(3) of this Section using an enclosed combustion devices or flares shall report the exceedences as defined in 40 CFR 60.758(c)(1).

(h) The owner or operator of a MSW landfill required to comply with Rule .1703(b)(1) of this Section shall include the information given in 40 CFR 60.757(g)(1) through (6) with the initial performance test report required under 40 CFR 60.8.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(5),(10);
Eff. July 1, 1998.

.1709 RECORDKEEPING REQUIREMENTS

(a) The owner or operator of a MSW landfill subject to this Section and having a maximum design capacity equal to or greater than 2.5 million cubic meters or 2.75 million tons shall keep on-site for at least five years records of the information listed in 40 CFR 60.758(a). Off-site records may be maintained if they are retrievable within four hours. Either paper copy or electronic formats of the records shall be acceptable.

(b) The owner or operator of a controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in 40 CFR 60.757(b)(1) through (b)(4) as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five years. Records of the control device vendor specifications shall be maintained until removal.

(c) Each owner or operator of a MSW landfill subject to this Section shall keep for five years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in Rule .1707 of this Section and records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. The parameter boundaries considered in excess of those established during the performance test are defined in 40 CFR 60.757(c)(1)(i) and (ii) and are also required to be reported under Rule .1708(g) of this Section.

(d) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall keep for the life of the collection system an up-to-date, readily accessible plot map showing existing and planned collectors in the system and provide unique identification location labels for each collector. Records of newly installed collectors shall be maintained in accordance with 40 CFR 60.758(d)(1) and documentation of asbestos-containing or nondegradable waste excluded from collection shall be kept in accordance with 40 CFR 60.758(d)(2).

(e) The owner or operator of a MSW landfill subject to Rule .1703(b) of this Section shall keep for at least five years records of emissions from the collection and control system exceeding the emission standards in accordance with 40 CFR 60.758(e).

(f) The owner or operator of MSW landfill subject to Rule .1703(b) of this Section shall keep up-to-date, readily accessible continuous records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under 40 CFR 60.756.

(g) The owner or operator of MSW landfill subject to Rule .1703(b) of this Section who uses a boiler or process heater with a design heat input capacity of 44 megawatts or greater to comply with 40 CFR 60.752(b)(2)(iii) shall keep an up-to-date, readily accessible record of all periods of operation of the boiler or process heater.

(h) The owner or operator of MSW landfills seeking to comply with the provisions of Rule .1703(b) of this Section by use of an open flare shall keep up-to-date, readily accessible continuous records of the flame or flare pilot flame monitoring specified under 40 CFR 60.756(c), and up-to-date, readily accessible records of all periods of operation in which the flame or flare pilot flame in absent.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(4),(5),(10);
Eff. July 1, 1998.

SECTION .1900 - OPEN BURNING

.1902 DEFINITIONS

For the purpose of this Section, the following definitions apply:

(1) "Air Curtain Burner" means a stationary or portable combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain.

(2) "Dangerous materials" means explosives or containers used in the holding or transporting of explosives.

(3) "HHCB" means the Health Hazards Control Branch of the Division of Epidemiology.

(4) "Land clearing" means the uprooting or clearing of vegetation in connection with construction for buildings; right-of-way; agricultural, residential, commercial, or industrial development; mining activities; or the initial clearing of vegetation to enhance property value; but does not include routine maintenance or property clean-up activities.

(5) "Log" means any limb or trunk whose diameter exceeds six inches.

(6) "Nuisance" means causing physical irritation exacerbating a documented medical condition, visibility impairment, or evidence of soot or ash on property or structure other than the property on which the burning is done.

(7) "Occupied structure" means a building in which people may live or work or one intended for housing farm or other domestic animals.

(8) "Open burning" means the burning of any matter in such a manner that the products of combustion

resulting from the burning are emitted directly into the atmosphere without passing through a stack, chimney, or a permitted air pollution control device.

(9) "Person" as used in Rule .1901(c) of this Section, means:
  (a) the person in operational control over the open burning, or
  (b) the landowner or person in possession or control of the land when he has directly or indirectly allowed the open burning or has benefited from it.

(10) "Public pick-up" means the removal of refuse, yard trimmings, limbs, or other plant material from a residence by a governmental agency, private company contracted by a governmental agency or municipal service.

(11) "Public road" means any road that is part of the State highway system; or any road, street, or right-of-way dedicated or maintained for public use.

(12) "RACM" means regulated asbestos containing material as defined in 40 CFR 61.142.

(13) "Refuse" means any garbage, rubbish, or trade waste.

(14) "Regional Office Supervisor" means the supervisor of personnel of the Division of Air Quality in a regional office of the Department of Environment and Natural Resources.

(15) "Salvageable items" means any product or material that was first discarded or damaged and then all, or part, was saved for future use, and include insulated wire, electric motors, and electric transformers.

(16) "Synthetic material" means man-made material, including tires, asphalt materials such as shingles or asphaltic roofing materials, construction materials, packaging for construction materials, wire, electrical insulation, and treated or coated wood.

History Note: Authority G.S. 143-212; 143-213; 143-215.3(a)(1);
Eff. July 1, 1996;
Amended Eff. July 1, 1998.

CHAPTER 3 - MARINE FISHERIES

SUBCHAPTER 3M - FINFISH

SECTION .0500 - OTHER FINFISH

.0503 FLOUNDER

(a) It is unlawful to possess flounder:
  (1) Less than 13 inches in length taken from internal waters:
  (2) Less than 14 inches in length taken from the Atlantic Ocean with commercial fishing equipment or by hook-and-line or gig if claiming the exemption specified in Paragraph (f) of this Rule;
  (3) Less than 14½ inches in length taken from the Atlantic Ocean by hook-and-line or gig.

(b) Between October 1 and April 30, it shall be unlawful to use a trawl in the Atlantic Ocean within three miles of the ocean beach from the North Carolina/Virginia state line (35° 33′ N) to Cape Lookout (34° 36′ N) unless each trawl has a cod end (tailbag) mesh length greater than 5 ½ inches diamond mesh (stretched) or 6 inches square mesh (stretched) applied throughout the cod end for at least 75 continuous meshes forward of the terminus (end) of the net, or the terminal one-third portion of a net, measured from the terminus of the cod end to the head rope for cod ends with less than 75 meshes, except as provided in Paragraphs (h) and (i) of this Rule.

(c) License to Land Flounder from the Atlantic Ocean:
  (1) It is unlawful to land more than 100 pounds per trip of flounder taken from the Atlantic Ocean unless the vessel has been issued a License to Land Flounder from the Atlantic Ocean.
  (2) It is unlawful for a fish dealer to purchase or offload more than 100 pounds of flounder taken from the Atlantic Ocean by a vessel that has not first procured a valid North Carolina License to Land Flounder from the Atlantic Ocean.
  (3) To qualify for a North Carolina License to Land Flounder from the Atlantic Ocean, a vessel shall have:
    (A) been licensed under G.S. 113-152 or 113-153 during any two of the 1992-93, 1993-94, or 1994-95 license years, and
    (B) landed in North Carolina at least 1,000 pounds of flounder each year from the Atlantic Ocean during any two of the 1992-93, 1993-94, or 1994-95 license years for which the vessel was licensed to land in North Carolina.
  (4) At least 10 days prior to issuance, applicants for the license shall complete an application form provided by the Division of Marine Fisheries and submit it to the North Carolina Division of Marine Fisheries, Post Office Box 769, 3441 Arendell Street, Morehead City, North Carolina 28557. The following information is required:
    (A) Valid documentation papers or current motor boat registration or copy thereof;
    (B) Proof of required licenses and flounder landings data for that vessel during the years the vessel was licensed.

  Licenses shall be issued to qualifying vessels at no fee and only from the Morehead City Office of the Division of Marine Fisheries.
  (5) Licenses may only be transferred:
    (A) with the transfer of the ownership of a vessel holding a License to Land Flounder from the Atlantic Ocean to the new owner of that vessel, or
    (B) by the owner of a vessel to another vessel under the same ownership. The vessel owner is only eligible for the same number of Licenses to Land Flounder from the Atlantic Ocean for which his boats qualify,
    (C) any transfer of license under this Paragraph must be facilitated through the Division of Marine Fisheries Morehead City Office only.

(6) It is unlawful for any individual to land flounder from the Atlantic Ocean without having ready at hand for inspection a valid License to Land Flounder from the Atlantic Ocean, except as specified in Subparagraph (c)(1) of this Rule.

(7) Suspension or Revocation:

(A) A License to Land Flounder from the Atlantic Ocean issued under this Rule shall be subject to suspension or revocation pursuant to the provisions of 15A NCAC 3P, except that this license shall be subject to revocation pursuant to the provisions of G.S. 113-166 when the licensee is convicted of a criminal offense within the jurisdiction of the Department under the provisions of Subchapter IV of G.S. 113, or of the rules of the Marine Fisheries Commission adopted under the authority of that Subchapter.

(B) The Division may commence proceedings under 15A NCAC 3P, for suspension or revocation of a License to Land Flounder from the Atlantic Ocean if it finds:

(i) the license was obtained by providing any false information or willfully omitting required information when the information is material to the securing of the license; or

(ii) the license was falsified, fraudulently altered, or counterfeited; or

(iii) the licensee practices any fraud or deception designed to evade the provisions of this Rule or reasonable administrative directives made under the authority of this Rule or G.S. 113-182(b)(3).

(d) It is unlawful to transfer flounder taken from the Atlantic Ocean from one vessel to another.

(e) It is unlawful to possess more than 10 flounder per person per day taken by hook-and-line or gig from the Atlantic Ocean.

(f) Persons fishing from a vessel with a valid vessel endorsement to sell or persons fishing but not from a vessel who hold a valid nonvessel endorsement to sell are exempt from the possession limit in Paragraphs (a)(3) and (e) of this Rule.

(g) Tailbag liners of any mesh size, the multiple use of two or more cod ends, or other netting material that in any way could restrict the legal size mesh required by this Rule, shall not be used or possessed on the deck of a vessel in the Atlantic Ocean between October 1 and April 30 from the North Carolina/Virginia state line (36° 33′ N) to Cape Lookout (34° 36′ N).

(h) Trawls with a cod end mesh size smaller than described in Paragraph (b) of this Rule may be used or possessed on the deck of a vessel provided not more than 100 pounds of flounder per trip from May 1 through October 31 or more than 200 pounds from November 1 through April 30 is possessed aboard or landed from that vessel.

(i) Flynets are exempt from the flounder trawl mesh requirements if they meet the following definition:

(1) The net has large mesh in the wings that measure 8 inches to 64 inches;

(2) The first body section (belly) of the net has 35 or more meshes that are at least 8 inches; and

(3) The mesh decreases in size throughout the body of the net to as small as 2 inches or smaller towards the terminus of the net.

(j) Season.

(1) The North Carolina season for landing ocean-caught flounder shall open January 1 each year. If 70 percent of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fisheries Management Council-Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is projected to be taken, the Fisheries Director shall, by proclamation, close North Carolina ports to landing of flounder taken from the ocean.

(2) The season for landing flounder taken in the Atlantic Ocean shall reopen November 1 if any of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fisheries Management Council-Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder remains. If after reopening, 100 percent of the quota allocated to North Carolina in accordance with the joint Mid-Atlantic Fisheries Management Council-Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is projected to be taken prior to the end of the calendar year, the Fisheries Director shall, by proclamation, close North Carolina ports to landing of flounder taken from the ocean.

(3) During any closed season prior to November 1, vessels may land up to 100 pounds of flounder per trip taken from the Atlantic Ocean.

(k) The Fisheries Director may, by proclamation, establish trip limits for the taking of flounder from the Atlantic Ocean to assure that the individual state quota allocated to North Carolina in the joint Mid-Atlantic Fisheries Management Council-Atlantic States Marine Fisheries Commission Fishery Management Plan for Summer Flounder is not exceeded.

History Note: Filed as a Temporary Amendment Eff. November 1, 1995 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 113-134; 113-182; 113-221; 143B-289.4;
Eff. January 1, 1991;
Amended Eff. March 1, 1996; February 1, 1992;
Temporary Amendment Eff. December 23, 1996;
Amended Eff. April 1, 1997;
Temporary Amendment Eff. August 18, 1997;
Amended Eff. August 1, 1998.

SUBCHAPTER 3O - LICENSES, LEASES, AND FRANCHISES

SECTION .0200 - LEASES AND FRANCHISES

.0211 PROTECTION OF PRIVATE SHELLFISH INTEREST

It is unlawful to use any trawl net, long haul seine, swipe net, dredge, or mechanical method for clams or oysters on any shellfish lease or franchise unless it has been duly authorized by the Fisheries Director as provided in 15A NCAC 3K .0206 and .0303.

History Note: Authority G.S. 113-134; 113-182; 113-201; Eff. October 1, 1992; Amended Eff. August 1, 1998.

CHAPTER 7 - COASTAL MANAGEMENT

SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

SECTION .1100 - GENERAL PERMIT FOR CONSTRUCTION OF BULKHEADS AND THE PLACEMENT OF RIPRAP FOR SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS

.1104 GENERAL CONDITIONS

(a) This permit authorizes only the construction of bulkheads and the placement of riprap conforming to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment, Health, and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no significant interference with navigation or use of the waters by the public by the existence of the bulkhead or the riprap authorized herein.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local land use plans current at the time of authorization.

History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124; Eff. March 1, 1984; Amended Eff. May 1, 1990; December 1, 1987; RRC Objection due to ambiguity Eff. May 19, 1994; Amended Eff. August 1, 1998; July 1, 1994.

SECTION .1300 - GENERAL PERMIT TO MAINTAIN: REPAIR AND CONSTRUCT BOAT RAMPS ALONG ESTUARINE SHORELINES AND INTO ESTUARINE AND PUBLIC TRUST WATERS

.1304 GENERAL CONDITIONS

(a) Structures authorized by this permit shall be non-commercial boat ramps constructed of acceptable material and conforming to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no unreasonable interference with navigation or public use of the waters during or after construction.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local land use plans current at the time of authorization.

History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124; Eff. March 1, 1984; Amended Eff. May 1, 1990; RRC Objection due to ambiguity Eff. May 19, 1994; Amended Eff. August 1, 1998; July 1, 1994.

SECTION .1400 - GENERAL PERMIT FOR CONSTRUCTION OF WOODEN GROINS IN ESTUARINE AND PUBLIC TRUST WATERS

.1404 GENERAL CONDITIONS

(a) Structures authorized by this permit shall be simple, wooden groins conforming to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no significant interference with navigation or use of the waters by the public by the existence of wooden groins authorized herein.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved

questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements. AEC rules, and local land use plans current at the time of authorization.

History Note: Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124;
Eff. March 1, 1984;
Amended Eff. May 1, 1990;
RRC Objection due to ambiguity Eff. May 16, 1994;
Amended Eff. August 1,1998; July 1, 1994.

SECTION .1500 - GENERAL PERMIT FOR EXCAVATION WITHIN OR CONNECTING TO EXISTING CANALS: CHANNELS: BASINS: OR DITCHES IN ESTUARINE WATERS: PUBLIC TRUST WATERS: AND ESTUARINE SHORELINE AEC'S

.1504 GENERAL CONDITIONS

(a) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time necessary to ensure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(b) This general permit will not be applicable to proposed maintenance excavation when the Department determines that the proposed activity will adversely affect adjacent property.

(c) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(d) New basins within or with connections to primary nursery areas are not allowed.

(e) No new basins will be allowed that result in closure of shellfish waters according to the closure policy of the Division of Environmental Health.

(f) This permit does not eliminate the need to obtain any other required state, local, or federal authorization, nor, to abide by regulations adopted by any federal or other state agency.

(g) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local Land Use Plans current at the time of authorization.

History Note: Authority G.S. 113A-107(a),(b); 113A-113(b); 113A-118.1; 113-229(cl);
Eff. July 1, 1984;
Amended Eff. May 1, 1990; December 1, 1987;
RRC Objection due to ambiguity Eff. May 19, 1994;
Amended Eff. August 1, 1998; July 1, 1994.

SECTION .1700 - GENERAL PERMIT FOR EMERGENCY WORK REQUIRING A CAMA AND/OR A DREDGE AND FILL PERMIT

.1704 GENERAL CONDITIONS

(a) Work permitted by means of an emergency permit shall be subject to the following limitations:

(1) No work shall begin until an onsite meeting is held with the applicant and appropriate Division of Coastal Management representative so that the proposed emergency work can be appropriately marked. Written authorization to proceed with the proposed development can be issued during this visit.

(2) No work shall be permitted other than that which is necessary to reasonably protect against or reduce the imminent danger caused by the emergency to restore the damaged property to its condition immediately before the emergency, or to re-establish necessary public facilities or transportation corridors.

(3) Any permitted erosion control projects shall be located no more than 20 feet waterward of the endangered structure.

(4) Fill materials used in conjunction with emergency work for storm or erosion control shall be obtained from an upland source. Excavation below MHW in the Ocean Hazard AEC may be allowed to obtain material to fill sandbags used for emergency protection.

(5) Structural work shall meet sound engineering practices.

(6) This permit allows the use of oceanfront erosion control measures for all oceanfront properties without regard to the size of the existing structure on the property or the date of construction.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make inspections at any time deemed necessary to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no unreasonable interference with navigation or public use of the waters during or after construction.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, CAMA rules, and local land use plans, storm hazard mitigation, and post-disaster recovery plans current at the time of authorization.

History Note: Authority G.S. 113-229(cl); 113A-107(a),(b); 113A-113(b); 113A-118.1;
Eff. November 1, 1985;
Amended Eff. December 1, 1991; May 1, 1990;
RRC Objection due to ambiguity Eff. May 19, 1994;
Amended Eff. August 1,1998; July 1, 1994.

SECTION .1800 - GENERAL PERMIT TO ALLOW BEACH BULLDOZING LANDWARD OF THE MEAN HIGH WATER MARK IN THE OCEAN HAZARD AEC

.1804 GENERAL CONDITIONS

(a) Any future setback determinations which may be required shall be made using the first line of stable natural vegetation established prior to the bulldozing activity.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary to ensure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights. If a shipwreck is unearthed, all work shall stop and both the Division of Archives and History and Coastal Management shall be contacted immediately.

(d) This permit does not eliminate the need to obtain any other required state, local or federal authorization.

(e) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local Land Use Plans current at the time of authorization.

History Note: Authority G.S. 113-229(cl); 113A-107(a)(b); 113A-113(b); 113A-118.1;
Eff. December 1, 1987;
Amended Eff. May 1, 1990;
RRC Objection due to ambiguity Eff. May 19, 1994;
Amended Eff. August 1,1998; July 1, 1994.

SECTION .1900 - GENERAL PERMIT TO ALLOW FOR TEMPORARY STRUCTURES WITHIN ESTUARINE AND OCEAN HAZARD AECS

.1904 GENERAL CONDITIONS

(a) Temporary structures for the purpose of this general permit are those which are constructed within the ocean hazard or estuarine system AECs and because of dimensions or functions do not meet the criteria of the existing general permits (i.e. are not a bulkhead, pier, rip-rap, groin, etc.).

(b) There shall be no encroachment oceanward of the first line of stable vegetation within the ocean hazard AEC except for the placement of auxiliary structures such as signs, fences, posts, pilings, etc.

(c) There shall be no fill activity below the plane of mean high water associated with the structure.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time necessary to ensure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(f) This permit does not eliminate the need to obtain any other state, local or federal authorization, nor, to abide by regulations adopted by any federal, state, or local agency.

(g) Development carried out under this permit must be consistent with all local requirements, and local land use plans current at the time of authorization.

History Note: Authority G.S. 113-229(cl); 113A-107(a)(b); 113A-113(b); 113A-118.1;
Eff. March 1, 1989;
Amended Eff. May 1, 1990; March 1, 1990;
RRC Objection due to ambiguity Eff. May 19, 1994;
Amended Eff. August 1,1998; July 1, 1994.

SECTION .2000 - GENERAL PERMIT FOR AUTHORIZING MINOR MODIFICATIONS AND REPAIR TO EXISTING PIER/MOORING FACILITIES IN ESTUARINE AND PUBLIC TRUST WATERS

.2004 GENERAL CONDITIONS

(a) Structures authorized by this permit shall conform to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under the authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no unreasonable interference with navigation or use of the waters by the public by the existence of piers or mooring pilings.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other

required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local land use plans current at the time of authorization.

(g) This general permit will not be applicable where the Department determines that the proposed modification will result in closure of waters to shellfishing under rules adopted by the Commission for Health Services.

History Note: Authority G.S. 113A-107; 113A-118.1; Eff. January 1, 1994; Amended Eff. August 1, 1998.

SECTION .2100 - GENERAL PERMIT FOR CONSTRUCTION OF MARSH ENHANCEMENT BREAKWATERS FOR SHORELINE PROTECTION IN ESTUARINE AND PUBLIC TRUST WATERS

.2104 GENERAL CONDITIONS

(a) This permit authorizes only the construction of breakwaters conforming to the standards herein.

(b) Individuals shall allow authorized representatives of the Department of Environment and Natural Resources to make periodic inspections at any time deemed necessary in order to be sure that the activity being performed under authority of this general permit is in accordance with the terms and conditions prescribed herein.

(c) There shall be no significant interference with navigation or use of the waters by the public by the existence of the breakwater authorized herein.

(d) This permit will not be applicable to proposed construction where the Department has determined, based on an initial review of the application, that notice and review pursuant to G.S. 113A-119 is necessary because there are unresolved questions concerning the proposed activity's impact on adjoining properties or on water quality; air quality; coastal wetlands; cultural or historic sites; wildlife; fisheries resources; or public trust rights.

(e) This permit does not eliminate the need to obtain any other required state, local, or federal authorization.

(f) Development carried out under this permit must be consistent with all local requirements, AEC rules, and local land use plans current at the time of authorization.

History Note: Authority G.S. 113A-107; 113A-118.1; RRC Objection due to ambiguity Eff. May 19, 1994; Eff. July 1, 1994; Amended Eff. August 1, 1998.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

SECTION .0300 - LOCAL WATER SAFETY REGULATIONS

.0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule applies only on that portion of the waters of Lake Wylie which lies within the boundaries of Mecklenburg and Gaston Counties and to the restricted zones indicated by Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule on such waters.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp in Mecklenburg County.

(c) Speed Limit Near Piers. No person shall operate a vessel at greater than no-wake speed limit within 50 yards of any pier operated by Mecklenburg County for public use.

(d) Speed Limit at McDowell Park. No person shall operate a vessel at greater than no-wake speed on the waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, including the entrances to the coves on either side of Copperhead Island.

(e) Speed Limit at Gaston County Wildlife Club Cove. No person shall operate a vessel at greater than no-wake speed on the waters of the cove at the Gaston County Wildlife Club on South Point Peninsula in Gaston County.

(f) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established in Mecklenburg County with the approval of the Executive Director, or his representative.

(g) Restricted Swimming Areas. No person operating a vessel shall permit it to enter any marked swimming area established in Mecklenburg County with the approval of the Executive Director, or his representative.

(h) Speed Limit Near Boating Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards of any boat launching ramp, dock, pier, marina, boat storage structure or boat service area on that part of Lake Wylie, including the South Fork River arm, which is located in Gaston County.

(i) No person shall operate a vessel at greater than no-wake speed within the area 250 feet to the north and 150 feet to the south of the Buster Boyd Bridge on Lake Wylie.

(j) Speed Limit Near Highway 27 Bridge. No person shall operate a vessel at greater than no-wake speed beginning 50 yards north of the NC 27 Bridge and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from the NC 27 Bridge.

(k) Placement and Maintenance of Markers. The Boards of Commissioners of Mecklenburg County and Gaston County are designated suitable agencies for placement and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. With regard to marking the restricted zones indicated in this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15; Eff. July 1, 1980; Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983; Temporary Amendment Eff. January 1, 1998; Amended Eff. July 1, 1998.

CHAPTER 11 - RADIATION PROTECTION

SECTION .0300 - LICENSING OF RADIOACTIVE MATERIAL

.0339 EXPIRATION AND TERMINATION OF LICENSES & DECOMMISSIONING

(a) Each specific license expires at the end of the day on the expiration date stated in the license unless the licensee has filed an application for renewal, as required in Rule .0340 of this Section, not less than 30 days before the expiration date stated in the existing license. If an application for renewal has been filed at least 30 days prior to the expiration date stated in the existing license, the existing license expires at the end of the day on which the agency makes a final determination to deny the renewal application or, if the determination states an expiration date, the expiration date stated in the determination.

(b) Each specific license revoked by the agency, as provided for in Rule.0344 of this Section, expires at the end of the day on the date of the agency's final determination to revoke the license, or on the expiration date stated in the determination, or as otherwise provided by agency order.

(c) Each specific license continues in effect, beyond the expiration date if necessary, with respect to possession of residual radioactive material present as contamination until the agency notifies the licensee in writing that the license is terminated. During this time, the licensee shall:

(1) limit actions involving radioactive material to those related to decommissioning; and

(2) continue to control entry to restricted areas until they are suitable for release for unrestricted use and the agency notifies the licensee in writing that the license is terminated.

(d) Within 60 days of the occurrence of any of the following, each licensee shall provide notification to the agency in writing of such occurrence, and either begin decommissioning its site, or any separate building or outdoor area that contains residual radioactivity so that the building or outdoor area is suitable for release in accordance with Commission requirements, or submit within 12 months of notification a decommissioning plan, if required by Subparagraph (g)(1) of this Rule, and begin decommissioning upon approval of that plan if:

(1) The license has expired pursuant to Paragraphs (a) or (b) of this Rule;

(2) The licensee has decided to permanently cease principal activities at the entire site or in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with Commission requirements;

(3) No principal activities under the license have been conducted for a period of 24 months; or

(4) No principal activities have been conducted for a period of 24 months in any separate building or outdoor area that contains residual radioactivity such that the building or outdoor area is unsuitable for release in accordance with Commission requirements.

(e) Coincident with the notification requirements set forth in Paragraph (d) of this Rule, the licensee shall maintain in effect all decommissioning financial assurances established by the licensee pursuant to Rule .0353 of this Section in conjunction with a license issuance or renewal, or as required by this Rule. The amount of the financial assurance must be increased, or may be decreased, as appropriate, to cover the detailed cost estimate for decommissioning established in Paragraph (g) of this Rule.

(1) Any licensee who has not provided financial assurance to cover the detailed cost estimate submitted with the decommissioning plan shall do so when this Rule becomes effective.

(2) Following agency approval of the decommissioning plan, a licensee may reduce the amount of the financial assurance as decommissioning proceeds and radiological contamination is reduced at the site with the approval of the agency.

(f) The agency may grant a request to extend the time periods required in Paragraph (d) of this Rule if the agency determines that this relief is not detrimental to the public health and safety and is otherwise in the public interest. The request shall be submitted to the agency no later than 30 days before notification pursuant to Paragraph (d) of this Rule. The schedule for decommissioning set forth in Paragraph (d) of this Rule may not commence until the agency has made a determination on the licensee's request.

(g) A decommissioning plan shall be submitted if required by license condition or if the procedures and activities necessary to carry out decommissioning of the site or separate building or outdoor area have not been previously approved by the agency and these procedures could increase potential health and safety impacts to workers or to the public, such as in any of following cases:

(1) Procedures would involve techniques not applied routinely during cleanup or maintenance operations;

(2) Workers would be entering areas not normally occupied where surface contamination and radiation levels are significantly higher than routinely encountered during operation;

(3) Procedures could result in significantly greater airborne concentrations of radioactive materials than are present during operation; or

(4) Procedures could result in significantly greater releases of radioactive material to the environment than those associated with operation.

(h) The agency may approve an alternate schedule for submittal of a decommissioning plan required pursuant to Paragraph (d) of this Rule if the agency determines that the alternative schedule is necessary to the effective conduct of decommissioning operations and presents no undue risk from radiation to the public health and safety and is otherwise in the public interest.

(i) Procedures such as those listed in Paragraph (g) of this Rule with potential health and safety impacts may not be carried out prior to agency approval of the decommissioning plan.

(j) The proposed decommissioning plan for the site or separate building or outdoor area must include:

(1) A description of the conditions of the site or separate

building or outdoor area sufficient to evaluate the acceptability of the plan;

(2) A description of planned decommissioning activities;

(3) A description of methods used to ensure protection of workers and the environment against radiation hazards during decommissioning;

(4) A description of the planned final radiation survey;

(5) An updated detailed cost estimate for decommissioning, comparison of that estimate with present funds set aside for decommissioning, and a plan for assuring the availability of adequate funds for completion of decommissioning; and

(6) For decommissioning plans calling for completion of decommissioning later than 24 months after plan approval, the plan shall include a justification for the delay based on the criteria in Paragraph (m) of this Rule.

(k) The proposed decommissioning plan will be approved by the agency if the information therein demonstrates that the decommissioning will be completed as soon as practicable and that the health and safety of workers and the public will be adequately protected.

(l) Except as provided in Paragraph (m) of this Rule, licensees shall complete decommissioning of the site or separate building or outdoor area as soon as practicable but no later than 24 months following the initiation of decommissioning. Except as provided in Paragraph (m) of this Rule, when decommissioning involves the entire site, the licensee shall request license termination as soon as practicable but no later than 24 months following the initiation of decommissioning.

(m) The agency may approve a request for an alternative schedule for completion of decommissioning of the site or separate building or outdoor area, and license termination if appropriate, if the agency determines that the alternative is warranted by consideration of the following:

(1) Whether it is technically feasible to complete decommissioning within the allotted 24 month period;

(2) Whether sufficient waste disposal capacity is available to allow completion of decommissioning within the allotted 24 month period;

(3) Whether a significant volume reduction in wastes requiring disposal will be achieved by allowing short-lived radionuclides to decay;

(4) Whether a significant reduction in radiation exposure to workers can be achieved by allowing short-lived radionuclides to decay; and

(5) Other site-specific factors which the agency may consider appropriate on a case-by-case basis, such as:

(A) regulatory requirements of other government agencies;

(B) lawsuits;

(C) ground-water treatment activities;

(D) monitored natural ground-water restoration;

(E) actions that could result in more environmental harm than deferred cleanup; and

(F) other factors beyond the control of the licensee.

(n) As the final step in decommissioning, the licensee shall:

(1) Certify the disposition of all licensed material, including accumulated wastes, by submitting a completed "Certificate of Disposition"; and

(2) Conduct a radiation survey of the premises where the licensed activities were carried out and submit a report of the results of this survey unless the licensee demonstrates that the premises are suitable for release in some other manner. The licensee shall, as appropriate:

(A) Report levels of gamma radiation in units of microrem (millisieverts) per hour at one meter from surfaces;

(B) Report levels of radioactivity, including alpha and beta, in units of microcuries per 100 square centimeters (or disintegrations per minute), removable and fixed, for surfaces; microcuries per milliliter for water; and picocuries per gram for solids such as soils or concrete; and

(C) Specify the survey instrument(s) used and certify that each instrument is properly calibrated and tested.

(o) Specific licenses will be terminated by written notice to the licensee when the agency determines that:

(1) radioactive material has been properly disposed;

(2) reasonable effort has been made to eliminate residual radioactive contamination, if present; and

(3) a radiation survey has been performed which demonstrates that the premises are suitable for release for unrestricted use; or other information submitted by the licensee is sufficient to demonstrate that the premises are suitable for release for unrestricted use.

History Note: Authority G.S. 104E-7; 104E-10(b); 104E-18; Eff. February 1, 1980;
Amended Eff. August 1, 1998; May 1, 1992.

SECTION .1600 - STANDARDS FOR PROTECTION AGAINST RADIATION

.1603 RADIATION PROTECTION PROGRAMS

(a) Each licensee or registrant shall develop, document, and implement a radiation protection program commensurate with the scope and extent of licensed or registered activities and sufficient to ensure compliance with the provisions of this Section. Recordkeeping requirements relating to these programs are provided in Rule .1636 of this Section.

(b) The licensee or registrant shall use procedures and engineering controls based upon sound radiation protection principles to achieve occupational doses and doses to members of the public and releases of radioactive materials in effluents to unrestricted areas that are as low as is reasonably achievable (ALARA).

(c) The licensee or registrant shall annually review the radiation protection program content and implementation.

(d) To implement the ALARA requirements of Paragraph (b) of this Rule, and notwithstanding the requirements of Rule .1611 of this Section, a constraint on air emissions of radioactive material to the environment, excluding Radon-222 and its daughters, shall be established by licensees such that the

individual member of the public likely to receive the highest dose will not be expected to receive a total effective dose equivalent in excess of 0.01 rem (0.1 mSv) per year from these emissions. If a licensee subject to this requirement exceeds this dose constraint, the licensee shall report the exceedance as provided in Rule .1647 of this Section and promptly take appropriate corrective action to ensure against recurrence.

History Note: Authority G.S. 104E-7(a)(2);
Eff. January 1, 1994;
Amended Eff. August 1, 1998.

CHAPTER 18 - ENVIRONMENTAL HEALTH

SUBCHAPTER 18A - SANITATION

SECTION .2300 - DELEGATION OF AUTHORITY TO ENFORCE COMMISSION FOR HEALTH SERVICES' SANITATION RULES

.2305 AGENTS SERVING AS CONTRACTORS

The Division may allow an agent who is authorized in a specific local health department to contract with another local health department to provide services to the other local health department. When a local health department contracts for such services, the contracting department shall provide a statement to the Division on progress made to employ an individual who may be considered for authorization.

(1) A contract shall be created between the contracting local health department and the agent (contractor) to include at least the following provisions:
  (a) Names and addresses of each party.
  (b) Scope of work to be performed.
  (c) A requirement that the original public records remain in the local health department in which the work is performed. The public records shall be left at the local health department or with an individual employed by the local health department who shall be responsible for returning said records to the local health department within two business days of the service provided.
  (d) Designation of the party responsible for maintaining public records created by the agent.
  (e) A requirement that the contracting agent be available for consultation to the public being served during usual business hours.
  (f) A requirement that the contracting agent be available for any hearing or other legal proceeding which may ensue from activities conducted by the agent.

(2) The contracting agent shall maintain a list of each activity and the date performed for review in accordance with Item (3) of this Rule.

(3) Each public record created by the contracting agent shall be reviewed, dated, and initialed by an authorized agent of the contracting local health department. In addition, at least 10 percent of the activities performed by the agent shall be reviewed in the field by an authorized agent employed by the contracting local health department. If the contracting local health department has no authorized employee, the Division shall conduct a review of each public record created by the contracting agent. In addition, at least 10 percent of the activities performed by the agent shall be reviewed on-site in the field by the Division. The review shall be conducted each month and shall cover the previous month's activities conducted by the agent.

History Note: Authority G.S. 130A-4; 130A-29;
Eff. October 1, 1985;
Amended Eff. July 1, 1998; September 1, 1990.

SECTION .2600 - SANITATION OF RESTAURANTS AND OTHER FOODHANDLING ESTABLISHMENTS

.2601 DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Section:

(1) "Approved" means determined by the Department to be in compliance with this Section.

(2) "Catered elderly nutrition site" means an establishment or operation where food is served, but not prepared on premises, operated under the guidelines of the N.C. Department of Human Resources, Division of Aging.

(3) "Commissary" means a food stand that services mobile food units and pushcarts. The commissary may or may not serve customers at the food stand's location.

(4) "Department of Environment and Natural Resources" or "Department" means the North Carolina Department of Environment and Natural Resources. The term also means the authorized representative of the Department. For purposes of any notices required pursuant to these Rules, notice shall be mailed to "Division of Environmental Health, Environmental Health Services Section, North Carolina Department of Environment and Natural Resources," PO Box 29534, Raleigh, NC 27626-0534.

(5) "Drink stand" means those establishments in which only beverages are prepared on the premises and are served in multi-use containers, such as glasses or mugs.

(6) "Employee" means any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

(7) "Environmental Health Specialist" means a person authorized to represent the Department on the local or state level in making inspections pursuant to state laws and rules.

(8) "Equipment" means refrigeration, including racks and

shelving used in refrigeration, utensil cleaning and culinary sinks and drainboards, warewashing and dishwashing machines, food preparation tables, counters, stoves, ovens, and other food preparation and holding appliances.

(9) "Food" means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption.

(10) "Food stand" means those food service establishments which prepare or serve foods and which do not provide seating facilities for customers to use while eating or drinking. Establishments which only serve such items as dip ice cream, popcorn, candied apples, or cotton candy are not included.

(11) "Good Repair" means that the item in question can be kept clean and used for its intended purpose.

(12) "Hermetically sealed container" means a container designed and intended to be secure against the entry of micro-organisms and to maintain the commercial sterility of its contents after processing.

(13) "Limited food service establishment" means a food service establishment as described in G.S. 130A-247(7).

(14) "Local Health Director" means the administrative head of a local health department or his authorized representative.

(15) "Mobile food unit" means a vehicle-mounted food service establishment designed to be readily moved.

(16) "Person" means any individual, firm, association, organization, partnership, business trust, corporation, or company.

(17) "Potentially hazardous food" means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including Clostridium botulinum. This term includes raw or heat treated foods of animal origin, raw seed sprouts, and treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below or a water activity (Aw) value of 0.85 or less.

(18) "Private club" means a private club as defined in G.S. 130A-247(2).

(19) "Pushcart" means a mobile piece of equipment or vehicle which serves hot dogs or foods which have been prepared, pre-portioned, and individually pre-wrapped at a restaurant or commissary.

(20) "Responsible person" means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee is the responsible person.

(21) "Restaurant or food service establishment" means all establishments and operations where food is prepared or served at wholesale or retail for pay, or any other establishment or operation where food is prepared or served that is subject to the provisions of G.S. 130A-248. The term does not include establishments which only serve such items as dip ice cream, popcorn, candied apples, or cotton candy.

(22) "Sanitize" means the approved bactericidal treatment by a process which meets the temperature and chemical concentration levels in 15A NCAC 18A .2619.

(23) "Sewage" means the liquid and solid human body waste and liquid waste generated by water-using fixtures and appliances, including those associated with foodhandling. The term does not include industrial process wastewater or sewage that is combined with industrial process wastewater.

(24) "Single service" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks, and similar articles intended for one-time, one person use and then discarded.

(25) "Substantially similar" means similar in importance, degree, amount, placement or extent.

(26) "Temporary food establishment" means those food or drink establishments which operate for a period of 15 days or less, in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(27) "Threat to the Public Health" means circumstances which create a significant risk of serious physical injury or serious adverse health effect.

(28) "Utensils" means any kitchenware, tableware, glassware, cutlery, containers and similar items with which food or drink comes in contact during storage, preparation, or serving.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. January 1, 1996; July 1, 1994; January 4, 1994; July 1, 1993;
Temporary Amendment Eff. April 8, 1996;
Amended Eff. August 1, 1998; April 1, 1997.

.2603 PUBLIC DISPLAY OF GRADE CARD

(a) Upon initial inspection of a food service establishment or if a renovation or other change in the establishment makes the grade inconspicuous, the Environmental Health Specialist shall designate the location for posting of the grade card. The grade card shall be located in a conspicuous place where it may be readily observed by the public upon entering the establishment. If the responsible person of the food service establishment objects to the location designated by the Environmental Health Specialist, then the responsible person may suggest an alternative location which meets the criteria of this Rule.

(b) Whenever an inspection of a restaurant, food stand, or drink stand is made, the Environmental Health Specialist shall remove the existing grade card, issue a new grade card, and post the new grade card in the same location where the grade card was previously posted as long as that location remains conspicuous. The responsible person or operator of the food service establishment shall be responsible for keeping the grade card posted at the designated location at all times. The grade

card may be posted in another location which meets the criteria of this Rule if agreed upon by the responsible person and Environmental Health Specialist.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; July 1, 1986; July 1, 1984.

.2604 INSPECTIONS AND REINSPECTIONS

(a) Upon entry into a food service establishment, Environmental Health Specialists shall identify themselves and their purpose in visiting that establishment. Environmental Health Specialists shall inquire as to the identity of the responsible person and invite the responsible person to accompany them during the inspection. If no employee is identified as the responsible person, Environmental Health Specialists shall invite an employee to accompany them on the inspection. Following the inspection, the Environmental Health Specialist shall offer to review the results of the inspection with the responsible person.

(b) The grading of restaurants, food stands, or drink stands shall be done on an inspection form furnished by the Department to local health departments. The form shall provide for but need not be limited to the following information:

(1) the name and mailing address of the facility;
(2) the name of person to whom permit is issued;
(3) the permit and score given;
(4) standards of construction and operation as listed in Rules .2607 through .2644 of this Section;
(5) a short explanation for all points deducted;
(6) the signature of the Environmental Health Specialist;
(7) the date.

(c) In filling out the inspection form, points may be deducted only once for a single occurrence or condition existing within or outside of the food service establishment. Deductions shall be based on actual violations of these Rules observed during the inspection. The Environmental Health Specialist shall take zero, one-half or a full deduction of points depending upon the severity or the recurring nature of the violation.

(d) In determining whether items or areas of an establishment are clean for purposes of enforcing the rules set forth in this Section and grading an establishment, the Environmental Health Specialist shall consider, among other things: the age of the accumulated material, the relative percentage of items which are clean and not clean, the cleaning practices of the establishment and the health risk posed by the circumstances.

(e) Upon request of the permit holder or his or her representative a reinspection shall be made.

(f) In the case of establishments that have been closed for failure to comply with these Rules, a reinspection to consider the issuance or reissuance of a permit shall be made at the earliest convenience of the Environmental Health Specialist.

(g) In the case of establishments which request an inspection for the purpose of raising the alphabetical grade, and which hold unrevoked permits, the Environmental Health Specialist shall make an unannounced inspection after the lapse of a reasonable period of time, not to exceed 15 days, from the date of the request.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991; March 1, 1988.

.2606 GRADING

(a) The sanitation grading of all restaurants, food stands, and drink stands, shall be based on a system of scoring wherein all establishments receiving a score of at least 90 percent shall be awarded Grade A; all establishments receiving a score of at least 80 percent and less than 90 percent shall be awarded Grade B; all establishments receiving a score of at least 70 percent and less than 80 percent shall be awarded a Grade C. Permits shall be revoked for establishments receiving a score of less than 70 percent.

(b) The grading of restaurants, food stands, and drink stands, shall be based on the standards of operation and construction as set forth in Rules .2607 through .2644 of this Section. An establishment shall receive a credit of two points on its score for each inspection if a manager or other employee responsible for operation of that establishment and who is employed full time in that particular establishment has successfully completed in the past three years a food service sanitation program approved by the Department. Evidence that a person has completed such a program shall be maintained at the establishment and provided to the Environmental Health Specialist upon request. An establishment shall score at least 70 percent on an inspection in order to be eligible for this credit.

(c) The posted numerical grade shall not be changed as a result of a food sampling inspection.

(d) The Department shall institute a pilot program in no more than seven counties. The pilot counties will be determined by mutual agreement of the local board of health and the Department. In the pilot counties, the grading will be conducted in accordance with this Section however, the numerical score rather than the letter grade awarded will be posted. Rule .2603 of this Section shall apply to the posting of the placards showing the numerical score. The Department shall evaluate the pilot program and report the evaluation to the Commission for Health Services at the August 1999 Commission of Health Services meeting.

(e) Nothing herein shall effect the right of a permit holder to a reinspection pursuant to Rule .2604 of this Section.

(f) Nothing herein shall prohibit the Department from immediately suspending or revoking a permit pursuant to G.S. 130A-23(d).

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; July 1, 1993; March 1, 1988.

.2607 STANDARDS AND APPROVAL OF PLANS

(a) Plans, drawn to scale, and specifications, including the proposed menu, for new food service establishments shall be submitted for review and approval to the local health agency prior to initiating construction. Plans, drawn to scale, and specifications including the proposed menu shall also be submitted prior to construction of changes in the dimensions of food preparation areas, seating capacity or the addition of rooms

to existing food service establishments. These plans shall include changes related to the increase in dimensions of food preparation areas, seating capacity or the addition of rooms.

(b) Plans, drawn to scale, and specifications including the proposed menu , for prototype "franchised" or "chain" facilities shall be submitted for review and approval to the Environmental Health Services Section, Division of Environmental Health. Plans for "franchised" or "chain" facilities which are certified by an architect to be the same or substantially similar to the prototype facility and "franchised" or "chain" facilities which are not prototypes shall be submitted only to the local health agency as required in Paragraph (a) of this Rule. At the time of submission to the local health agency, an architect shall set forth in writing how these plans differ from the prototype plans approved by the Division. Copies of this letter shall be submitted to the Environmental Health Services Section and the local health agency.

(c) Construction shall comply with approved plans and specifications.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; July 1, 1993; July 1, 1992; May 1, 1991; July 1, 1984.

.2608 SOURCES OF FOOD

All food shall be obtained from sources that comply with all laws relating to food and food labeling and shall be properly identified. Food in hermetically sealed containers shall have been processed in a commercial food processing establishment operated in compliance with G.S. 106-120 through 145. Copies of G.S. 106-120 through 145 may be obtained from the Food and Drug Protection Division, North Carolina Department of Agriculture. All food shall be clean, wholesome, free from adulteration and spoilage, safe for human consumption, and shall be handled, served, or transported in such a manner as to prevent contamination, adulteration, and spoilage. Only approved containers and utensils may be used. Foods that are spoiled or otherwise unfit for human consumption shall be immediately disposed of as garbage or returned to the source except as specified in Rule .2641 of this Section. Foods to be returned to the source shall be marked as such and stored in a fashion so as not to contaminate other food.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991; July 1, 1984.

.2609 REFRIGERATION: THAWING: AND PREPARATION OF FOOD

(a) All potentially hazardous foods requiring refrigeration shall be kept at or below 45° F (7° C), except when being prepared or served. An air temperature thermometer accurate to ±3° F (±1.5° C) shall be provided in all refrigerators.

(b) Potentially hazardous foods shall be thawed:

(1) in refrigerated units at a temperature not to exceed 45° F (7° C);

(2) under potable running water of a temperature of 70° F (21° C), or below, with sufficient water velocity to agitate and float off loose food particles into the overflow;

(3) as a part of the conventional cooking process; or

(4) in a microwave oven only when the food will be immediately transferred to conventional cooking equipment as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven.

(c) Employees preparing food shall have used antibacterial soap, dips or hand sanitizers immediately prior to food preparation or shall use clean, plastic disposable gloves or sanitized utensils during food preparation. This requirement is in addition to all handwashing requirements in Section .2600 of these Rules. Food shall be prepared with the least possible manual contact, with suitable utensils and on preparation surfaces that have been cleaned and rinsed prior to use. Preparation surfaces which come in contact with potentially hazardous foods shall be sanitized as provided in Rule .2618(c) of this Section. Raw fruits and raw vegetables shall be thoroughly washed with potable water before being cooked or served.

(d) Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least 140° F (60° C) except as follows:

(1) poultry, poultry stuffings, stuffed meats, and stuffings containing meat shall be cooked to heat all parts of the food to at least 165° F (74° C) with no interruption of the cooking process, and

(2) pork and any food containing pork shall be cooked to heat all parts of the food to at least 150° F (66° C), and

(3) ground beef and foods containing ground beef shall be cooked to an internal temperature of at least 155° F (68° C), and

(4) rare roast beef shall be cooked to an internal temperature of at least 130° F (54° C), and

(5) rare beef steak shall be cooked to a temperature of 130° F (54° C) unless otherwise ordered by the immediate consumer.

(e) Liquid, or uncooked frozen, dry eggs and egg products shall be used only for cooking and baking purposes. This Paragraph does not apply to pasteurized products.

(f) Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to 165° F (74° C) or higher throughout before being served or before being placed in a hot food storage facility except that, food in intact packages from regulated food manufacturing plants may initially be reheated to 140° F (60° C).

(g) All potentially hazardous foods, except rare roast beef, shall be stored at temperatures of 140° F (60° C) or above; or 45° F (7° C) or below except during necessary periods of preparation and serving. Rare roast beef shall be stored at a temperature of at least 130° F (54° C) or above; or 45° F (7° C) or below.

(h) Time only, rather than the temperature requirements set forth in Paragraph (g) of this Rule, may be used in connection with potentially hazardous foods that are displayed or held for

service for immediate consumption if:

(1) The food is labeled with the time of completion of the cooking process or when the food was otherwise removed from temperature control;

(2) The food is served to the public within two hours of the time of completion of the cooking process or when the food was otherwise removed from required temperature control; and

(3) The establishment maintains written procedures approved by the Department for the handling of food from the time of completion of the cooking process or when the food is otherwise removed from required temperature control.

(i) Potentially hazardous food that is displayed or held for service for immediate consumption shall not be served to the public unless it has been maintained at the temperature required in Paragraph (g) of this Rule, or:

(1) it is marked with the time of completion of the cooking process or when it was otherwise removed from required temperature control, or

(2) the two hour period referenced in Subparagraph (h)(2) of this Rule has not expired.

(j) All potentially hazardous food that is transported must be maintained at temperatures as noted in Paragraph (g) of this Rule.

(k) A metal stem-type thermometer accurate to ±2° F (±1° C) shall be available to check food temperatures.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; October 1, 1993; May 1, 1991; October 1, 1990.

.2610 STORAGE: HANDLING: AND DISPLAY OF FOOD

(a) All unwrapped or unenclosed food and drink on display shall be protected in such manner that the direct line from the customer's mouth to the food shall be intercepted by glass or similar shields and shall be otherwise protected from public handling or other contamination, except that hand openings may be permitted on counter fronts. A beverage station staffed with an employee who is serving on a continual basis, is not required to provide glass or similar shields for beverages, ice and beverage garnishes. The employee shall remove contaminated beverages, ice or beverage garnishes from the beverage station. This requires standard counter protector installations for all cafeteria counters, salad bars, and similar type service to prevent contamination by customers' coughing and sneezing. Nothing in this Rule shall require food kept in enclosed cases to be wrapped or covered so long as effective measures are taken to prevent contamination in multi-level shelving units.

(b) Customer self-service is permitted only under the following conditions:

(1) Buffet-style Service. This style of service is not acceptable unless protective shields, equivalent to cafeteria counter protectors, are provided to intercept contamination.

(2) Customer Self-Service. When customers are allowed to return to a self-service area, clean and sanitized tableware other than flatware, beverage cups and glasses, shall be made available for each return trip. Written notice shall be provided informing customers that clean tableware needs to be used for return trips.

(3) Family-style Service. In establishments featuring this style of service, patrons elect to participate in the family dining-table type of service. Ordinary serving dishes and utensils are acceptable.

(4) Private events. When service is provided for a club, organization or private individual at a planned event from which the public is excluded:

(A) Potentially hazardous foods shall be replaced at least every two hours;

(B) Food containers shall be arranged conveniently so customers' clothing does not come in contact with food;

(C) Long-handled serving spoons, tongs, or other utensils shall be provided and used;

(D) At the conclusion of the event, food that has not been consumed, shall be discarded; and

(E) Protective shields are not required for buffet-style service.

(c) Foods, except raw vegetables which are to be cooked, shall be kept under cover when not in the process of preparation and serving. Meat and other potentially hazardous foods shall not be stored on the floor, or in direct contact with shelves and racks of cold storage boxes, or permitted to come in contact with dirty clothes, newspapers, pasteboard, previously-used paper, or other contaminated surfaces. If open dishes and pans containing food are stacked, food shall be protected with wax paper or foil. Food transported to a restaurant shall not be accepted unless properly wrapped, covered, or otherwise protected. Food and drink shall not be served to the general public in the kitchen. In the case of "drive-in" restaurants, all food shall be covered or wrapped before delivery to patrons' vehicles, to exclude vermin or insects, dust, and other contamination.

(d) Containers for onions, slaw, mustard, and other condiments not kept in accordance with the requirements of Paragraph (a) of this Rule shall have covers and be kept covered when not in use. Sugar shall be dispensed with either pour-type dispensers or individual packages. Waiters and waitresses shall avoid unnecessary handling of food in the process of serving.

(e) Effective measures such as fly repellant fans, self-closing doors, screens and routine use of approved insecticides shall be taken to keep insects, rodents, animals and other public health pests out of the establishment and to prevent their breeding or presence on the premises. Animals and fowl shall not be permitted in a food service establishment, provided that seeing eye dogs accompanying blind persons and service dogs accompanying handicapped persons shall be exempted.

(f) Dustless methods of floor cleaning shall be used and all except emergency floor cleaning shall be done during those periods when the least amount of food and drink is exposed, such as after closing, or between meals.

(g) The offering of free unwrapped food samples which were prepared by, or served by, the establishment on its premises, shall be maintained at a location within sight of and under the

immediate supervision of an employee or agent for the purposes of observing customer use.

(h) Foods shall not be stored under exposed sewer lines.

(i) Dry beans, grits, flour, sugar, and similar food products shall be stored in approved, covered containers, glass jars, or equal and labeled accordingly.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; July 1, 1994; April 1, 1994; July 1, 1992; May 1, 1991.

.2612 SHELLFISH

(a) All shellfish and crustacea meat shall be obtained from sources in compliance with the Department's rules on shellfish and crustacea. Copies of 15A NCAC 18A .0300 through .0900 may be obtained from the Department. If the source of clams, oysters, or mussels is outside the state, the shipper's name shall appear on the "Interstate Certified Shellfish Shippers List" as published monthly by the Shellfish Sanitation Branch, Food and Drug Administration. If the source of cooked crustacea meat is outside the state, it shall be certified by the regulatory authority of the state or territory of origin, attested by the presence of an official permit number on the container.

(b) All shucked shellfish and all cooked crustacea meat shall be stored in the original container. Each original container shall be clearly identified with the name and address of the packer, repacker, and the abbreviated name of the state or territory. Shucked shellfish unit containers shall be dated in accordance with 15A NCAC 18A .0600.

(c) All shellstock shall be stored in the containers in which packed at the source. Each original container shall be clearly identified with a uniform tag or label bearing the name and address of the shipper, the certificate number issued by the state or territory regulatory authority, the abbreviated name of the state, the name of the waters from which the shellfish were taken, the kind and quantity of the shellstock in the container, and the name and address of the consignee.

(d) Shellstock shall be stored under refrigeration and in a manner to prevent cross-contamination to or from the shellstock. The re-use of single-service shipping containers and the storage of shucked shellfish in other containers are not allowed.

(e) After each container of shellstock has been emptied, the management shall remove the stub of the tag and retain it for a period of at least 90 days.

(f) With the exception of opening shellfish for immediate consumption on the premises, no shellfish shucking shall be performed unless the establishment holds a valid shellfish shucking permit.

(g) Shellstock washing facilities shall consist of an approved mechanical shellfish washer, or a sink or slab with catch basin, indirectly drained into an approved sewage collection, treatment, and disposal system. The washing shall be done in a clean area, protected from contamination. A can wash facility shall not be used for the washing of shellstock or other foods.

(h) The cooking of shellfish shall be accomplished in an area meeting the requirements of this Section.

(i) Re-use of shells for the serving of food is prohibited. It shall not be considered re-use to remove a shellfish from its shell and return it to that same shell for service to the public. Shells shall be stored in a manner to prevent flies, insects, rodents, and odors.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991; July 1, 1984.

.2617 UTENSILS AND EQUIPMENT

(a) All eating, drinking, and cooking utensils, tables, sinks, cabinets, hoods, shelves, equipment, fixtures, and other items used in connection with the preparation of food shall be kept clean and in good repair.

(b) All surfaces with which food or drink comes in contact shall consist of smooth, not readily corrodible, non-toxic materials in which there are no open cracks or joints that will collect food particles and slime, and be kept clean.

(c) Shelves, tables, and counters shall not be covered with paper, cardboard, oil cloth, or other absorbent material, and shall be free of crevices. Dining table linen or similar dining table coverings, if used, shall be kept clean and in good repair.

(d) Equipment shall meet National Sanitation Foundation standards, which are adopted by reference in accordance with G.S. 150B-14(c). If equipment is not National Sanitation Foundation listed, the owner or operator shall submit documentation to the Department that demonstrates that the equipment is at least equivalent to National Sanitation Foundation standards. The Department shall determine if the equipment is at least equivalent to National Sanitation Foundation standards. In doing so, if the components of the equipment are the same as those meeting National Sanitation Foundation standards, then the Department shall deem the equipment equivalent. For purposes of these Rules, toasters, mixers, microwave ovens, hot water heaters and hoods shall not be considered to be Equipment and shall not be required to meet National Sanitation Foundation standards.

(e) Beverage dispensers installed or replaced after the effective date of this Rule shall be designed to avoid activation by the lip of a cup or glass when these dispensers are used to refill customer cups or glasses.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991.

.2618 CLEANING OF EQUIPMENT AND UTENSILS

(a) All equipment and fixtures shall be kept clean. All cloths used by chefs and other employees in the kitchen shall be clean.

(b) Single-use articles such as formed buckets, bread wrappers, aluminum pie plates and No. 10 cans shall be used only once except that containers made of plastic, glass or other food grade material having smooth sides and of a construction so as to be easily cleaned may be reused.

(c) All multi-use eating and drinking utensils shall be thoroughly washed, rinsed, and subjected to a bactericidal treatment specified in Rule .2619 of this Section after each usage. The supply of eating and drinking utensils shall be of

sufficient quantity to allow washing, rinsing, sanitizing and air-drying before re-use. All multi-use utensils except pizza pans and similar type pans (not used for table service) used in the storage, preparation, cooking, or serving of food or drink shall be cleaned and rinsed immediately after the days' operations, after each use, or upon completion of each meal as indicated. Pizza pans and similar type pans (not used for table service) which are continually subjected to high temperatures do not require cleaning after each use or day's use but shall be kept clean and maintained in good repair.

(d) In addition to washing and rinsing multi-use utensils as indicated in Paragraph (b) of this Rule, preparation surfaces which come in contact with potentially hazardous foods and are not subjected to heat during routine cooking operations shall be sanitized. Examples of food contact surfaces which must be sanitized are utensils used in preparing cold salads and cold beverages, cutting boards, table tops, knives, saws, and slicers. For utensils and equipment which are either too large or impractical to sanitize in a dishwashing machine or dishwashing sink, and for those establishments which do not have dishwashing equipment, a spray-on or wipe-on sanitizer may be used. When spray-on or wipe-on sanitizers are used, the chemical strengths shall be those required for sanitizing multi-use eating and drinking utensils.

(e) Hand dishwashing facilities shall consist of an approved three-compartment sink of sufficient size and depth to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of a sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks or by cross-stacking.

(f) Where the Department determines that the volume of dishes, glasses and utensils to be washed cannot be processed in a single warewashing facility, separate dish, glass or utensil washing facilities shall be required. Separate vegetable washing facilities shall be provided in establishments which wash raw vegetables except where plan review shows that volume and preparation frequency do not require separate vegetable washing facilities or where vegetables are purchased prewashed and packaged. Establishments which scale or eviscerate fish or wash raw poultry shall provide separate sinks with preparation space for these processes except where plan review shows that volume and preparation frequency do not require separate washing facilities.

(g) When dishwashing machines are used, the machines shall be approved and shall be fitted with drainboards of ample capacity on each side, and include a countersunk sink or other approved means for pre-cleaning, pre-flushing, or pre-soaking of the utensils in the dirty dish lane. Thermometers indicating the wash and rinse water temperatures shall be provided and kept in good repair.

(h) When dishwashing machines are used, the machines shall be approved on the basis of size, capacity, and type for the number of utensils to be washed. Under some conditions, as when volume is limited and time permits, glasses may be washed with power-driven brushes and passed through door-type machines, which are also used for dishwashing, for final rinse and bactericidal treatment. For this method, a motor-driven glass-washer and a single-vat sink may suffice.

(i) When only single-service eating and drinking utensils are used, at least an approved two-compartment sink shall be provided. This sink shall be of sufficient size to submerge, wash, rinse and sanitize utensils and shall have splash back protection and drainboards that are an integral part of and continuous with the sink. These drainboards shall be of sufficient size to accommodate the drainage of liquids of the washed utensils after being sanitized. Air drying of utensils may be accomplished with the use of a drainboard, overhead or wall mounted shelves, or with the use of stationary or portable racks.

(j) Facilities for the heating of water shall be provided. Capacity of hot water heating facilities shall be based on number and size of sinks, capacity of dishwashing machines, and other food service and cleaning needs. Hot water storage tanks shall provide a minimum of 130° F (54° C) hot water when water is not used for sanitizing; when hot water is used for sanitizing, a minimum storage temperature of 140° F (60° C) hot water is required.

(k) No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of eating or cooking utensils.

(l) In determining the sufficiency of the size of drainboards, machine dishwashers and sinks in an establishment, the Environmental Health Specialist shall consider the number and size of multi-use utensils regularly cleaned. For drainboards only, the Specialist shall also consider the available shelf space, racks and other areas which may be used for air drying.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; January 1, 1996; July 1, 1993; July 1, 1991.

.2621 DRINKING WATER FOUNTAINS

If drinking fountains are provided, they shall meet National Sanitation Foundation standards, be of approved angle-jet type and be kept clean. This Rule shall not be interpreted as prohibiting the pitcher service of ice water or the service of bottled water.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998.

.2623 WATER SUPPLY

(a) The water supply used shall be in accordance with 15A NCAC 18A .1700.

(b) Prior to the issuance of a permit, non-community water supplies shall be listed with the Public Water Supply Section, Division of Environmental Health.

(c) In food service establishments with non-community water supplies, water samples for bacteriological analysis shall be collected by the Department and submitted to the laboratory section of the Department or another laboratory certified by the

Department for analysis, and at least annually thereafter for bacteriological analysis.

(d) Cross-connections with sewage lines; unapproved water supplies or other potential sources of contamination are prohibited. Hot and cold running water under pressure shall be provided to food preparation, utensil and handwashing areas, and any other areas in which water is required for cleaning. Running water under pressure shall be provided in sufficient quantity to carry out all food preparation, utensil washing, hand washing, cleaning, and other water-using operations.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991; July 1, 1986; July 1, 1984.

.2627 FLOORS

(a) The floors of all rooms in which food is stored, prepared, handled, or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, and shall be kept clean and in good repair. Food waste on the floor as a result of that day's preparation process is not a violation of these Rules so long as the food waste is removed at regular intervals and prior to closing.

(b) Floors in areas where food is to be prepared or stored may be of sealed concrete, terrazzo, quarry or vinyl tile, wood covered with composition flooring or equal, except that:

(1) carpet may be used in wait stations and self-service bars.

(2) there will be no special flooring requirements for portable cooking units which may be used in a dining room for occasional service at individual tables.

(c) The joints between walls and floors shall be rounded or be otherwise constructed to provide a tight seal between the floor and wall.

(d) In all rooms in which water is discharged to the floor, or in which floors are subjected to flood-type cleaning, floors shall slope to drain and be provided with floor drains.

(e) Properly maintained carpeting is acceptable in dining areas.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991.

.2628 WALLS AND CEILINGS

(a) Walls and ceilings of all rooms in which food is stored, handled, prepared, or served or in which utensils are washed or stored shall be kept clean and in good repair. Water stains on walls or ceilings do not constitute a violation of this Rule unless mold or mildew are present.

(b) The walls of kitchens and other rooms used for the preparation of food and the washing of utensils shall be smooth, washable and be kept clean. Acceptable wall materials include but are not limited to glazed tile; fiberglass reinforced panels, stainless steel, wood or metal; wall board painted with washable, non-absorbent paint; and brick, cinder blocks, slag blocks, or concrete blocks, if glazed, tiled, plastered or filled so as to provide a smooth surface. Ceilings in kitchens and other rooms used for the preparation of food or the washing of utensils shall be washable. Acceptable materials include, but are not limited to perforated or non-perforated vinyl faced acoustical tile, fiberglass reinforced panels, and painted wall board.

(c) The walls and ceilings of the dining rooms and other food serving rooms shall be of sound construction.

(d) The walls and ceilings of dry storage rooms shall be of sound construction; however, a washable finish is not required.

(e) The walls and ceilings of the wait stations that prepare beverages and bars that only prepare beverages and wash utensils with no food preparation other than garnishes for drinks shall be of sound construction, provided that the interior walls of these wait stations and bars shall be finished to be smooth and washable.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991.

.2632 STORAGE SPACES

(a) Storage spaces shall be kept clean. The contents shall be neatly arranged to facilitate cleaning.

(b) All items stored in rooms where food or single-service items are stored shall be at least 12 inches (30.48 cm.) above the floor when placed on stationary storage units or 6 inches (15.24 cm.) above the floor when placed on portable storage units or otherwise arranged so as to permit thorough cleaning. For purposes of this Rule the term "portable" does not require wheels.

(c) Shelves in storage rooms where food or single-service items are stored shall be constructed approximately 1 in. (2.54 cm.) from the wall, unless stripped or caulked.

(d) Bulky items shall be stored on slatted shelves or movable dollies.

(e) Nothing in this Rule shall prohibit the use of non-absorbent wooden shelves which are in good repair in dry storage areas.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; January 1, 1996; May 1, 1991.

.2633 PREMISES: MISCELLANEOUS

(a) The premises under control of the management shall be kept free of items which provide fly or mosquito breeding places or rodent harborages.

(b) None of the operations shall be conducted in any room used for domestic purposes. A domestic kitchen shall not be used in connection with the operation of a restaurant.

(c) Soiled linens, coats, and aprons shall be kept in containers provided for this purpose. Laundered table linen and cleaning cloths shall be stored in a clean place until used.

(d) Toxic materials used in a restaurant shall be labeled.

(e) A special area for storage of toxic materials shall be provided and plainly marked. This requirement shall not apply to cleaners and sanitizers used frequently in the operation of the restaurant that are stored for availability and convenience if the

materials are stored to prevent the contamination of food, equipment, utensils, linens and single-service items.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; May 1, 1991.

.2638 GENERAL REQUIREMENTS FOR PUSHCARTS AND MOBILE FOOD UNITS

(a) A permit shall be issued by the local health department which provides sanitation surveillance for the restaurant or commissary from which the pushcart or mobile food unit is to operate, if the local health department determines that the pushcart or mobile food unit complies with these Rules.

(b) The permit shall be posted on the pushcart or mobile food unit. Grade cards shall not be posted.

(c) The local health department which issues the permit shall be provided by individuals receiving a permit a list of counties and locations where each pushcart or mobile food unit will operate.

(d) Individuals receiving a permit to operate a pushcart or mobile food unit shall provide the local health department in each county in which food service operations are proposed a list of locations where they will operate. Such lists must be kept current.

(e) Prior to initiating food service operations in a particular jurisdiction, the operator of the pushcart or mobile food unit shall submit to that particular jurisdiction such carts or units for inspection or reinspection to determine compliance with this Section.

(f) Pushcarts or mobile food units shall operate in conjunction with a permitted restaurant or commissary and shall report at least daily to the restaurant or commissary for supplies, cleaning, and servicing. Facilities, in compliance with this Section, shall be provided at the restaurant or commissary for storage of all supplies. The pushcart shall also be stored in an area that protects it from dirt, debris, vermin and other contamination. Water faucets used to supply water for pushcarts and mobile food units shall be protected to prevent contact with chemicals, splash and other sources of contamination. Solid waste storage and liquid waste disposal facilities must also be provided on the restaurant or commissary premises.

(g) All foods shall be obtained from approved sources and shall be handled in a manner so as to be clean, wholesome, and free from adulteration.

(h) All potentially hazardous foods shall be maintained at 45° F (7° C) or below or 140° F (60° C) or above, or as required in Rule .2609 of this Section. A metal stem-type thermometer accurate to ± 2° F. (± 1° C.) shall be available to check food temperatures.

(i) Only single-service eating and drinking utensils shall be used in serving customers. Single-service items must be properly stored and handled.

(j) All garbage and other solid waste shall be stored and disposed of in an approved manner.

(k) Employees shall be clean as to their person and foodhandling practices. Clean outer clothing and hair restraints are required.

(l) No person who has a communicable or infectious disease that can be transmitted by foods, or who is a carrier of organisms that cause such a disease, or who has a boil, infected wound, or an acute respiratory infection with cough and nasal discharge, shall work with a pushcart or mobile food unit in any capacity in which there is a likelihood of such person contaminating food or food-contact surfaces, with disease-causing organisms or transmitting the illness to other persons.

(m) All equipment and utensils shall comply with the rules of this Section.

(n) The pushcart or mobile food unit shall be kept in a clean and sanitary condition and be free of flies, roaches, rodents, and other vermin.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; January 4, 1994; September 1, 1991; May 1, 1991.

.2643 INFORMAL REVIEW PROCESS AND APPEALS PROCEDURE

(a) If a permit holder disagrees with a decision of an Environmental Health Specialist on the interpretation, application or enforcement of the rules of this Section the permit holder may:

(1) Request an informal review pursuant to Paragraphs (d) and (e) of this Rule; or

(2) Initiate an appeal in accordance with G.S. 150B.

(b) The permit holder is not required to complete the alternative dispute resolution prior to initiating an appeal in accordance with G.S. 150B.

(c) When a petition for a contested cases is filed, the informal review process shall terminate.

(d) If the permit holder requests an informal review, the request shall be in writing and shall be postmarked or hand-delivered to the local health department within seven days of notice of the decision giving rise to the review. The request shall briefly state the issues in dispute. In the event the inspection giving rise to the informal review was conducted by the Environmental Health Supervisor in the county or area where the restaurant is located, or when the county or area has only one Environmental Health Specialist assigned to inspect restaurants, the Regional Environmental Health Specialist assigned to that county or area shall conduct the local informal review. As soon as possible but at least within 30 days of receipt of the request, the person conducting the review shall contact the permit holder, provide that permit holder an opportunity to be heard on the issues in dispute and issue a written decision addressing the issues raised in the appeal. Copies of the decision shall be mailed to the permit holder and to the State Health Director. That decision shall be binding for the purposes of future inspections of the establishment in question unless modified pursuant to Paragraph (e) of this Rule or by the State Health Director.

(e) Following receipt of the written decision of the Environmental Health Supervisor or his or her representative issued pursuant to Paragraph (d) of this Rule, the permit holder who initiated the informal review may appeal the resulting

decision to an Informal Review Officer designated by the Department to be responsible for final decisions on appeals from throughout the state. Notice of such appeal shall be in writing, shall include a copy of the Environmental Health Supervisor's or his or her representative's decision and shall be postmarked or hand-delivered to the Local Health Department and to the Department within seven days of receipt of the written decision issued pursuant to Paragraph (a) of this Rule. Within 35 days of receipt of this appeal, the designated Informal Review Officer shall hold a conference in Wake County. Notice of the time and place of this conference shall be provided to the permit holder and the Environmental Health Supervisor for the county or area where the issue arose. Within 10 days following the date of the conference, the Informal Review Officer shall issue a written decision addressing the issues raised in the appeal and that decision shall be binding for purposes of future inspections of the establishment in question unless modified pursuant to Paragraph (g) of this Rule or by the State Health Director.

(f) If the decision on appeal at the local or state level results in a change in the score resulting from an inspection of an establishment, the Environmental Health Specialist shall post a new grade card reflecting that new score.

(g) Appeals of the decision of the designated Informal Review Officer shall be in accordance with G.S. 150B.

(h) Nothing in this Rule shall impact the right of a permit holder to a reinspection pursuant to Rule .2604 of this Section.

History Note: Authority G.S. 130A-248;
Eff. May 5, 1980;
Amended Eff. August 1, 1998; February 1, 1987.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

CHAPTER 64 - BOARD OF EXAMINERS OF SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

SECTION .1000 - REQUIREMENTS FOR THE USE OF SPEECH-LANGUAGE PATHOLOGY ASSISTANTS IN DIRECT SERVICE DELIVERY IN NORTH CAROLINA

.1002 GENERAL REQUIREMENTS

(a) For registration, Assistants must present:

(1) evidence of successful completion of an Associate's Degree in Speech-Language Pathology Assisting from an accredited institution of higher learning, community college, or equivalent program; or

(2) evidence of successful completion of a Bachelor's Degree from an accredited institution as well as evidence of successful completion of the following Speech-Language Assisting curriculum courses developed by the N. C. Department of Community Colleges:

Introduction to Speech-Language Pathology (SLP III or equivalent),
SLP Office Procedures (SLP 120 or equivalent),
Disorders and Treatment I (SLP 211 or equivalent),
Disorders and Treatment II (SLP 212 or equivalent),
Assistive Technology (SLP 220 or equivalent),
SLP Field Work (SLP 230 or equivalent),
SLP Field Work Seminar (SLP 231 or equivalent),

(3) a passing score on a competency test approved by the Board.

(b) Authority to approve the curriculum or the equivalent courses for speech-language pathology assistants is vested in the Board of Examiners.

(c) A Licensee, who is employed full-time (30 hours/week or more), may register to be primary supervisor of no more than two Assistants at any one time. A Licensee who is employed part-time (less than 30 hours/week) may register to supervise no more than one Assistant at any one time. The Primary Supervising Licensee shall be responsible for assuring compliance with the registration process, these rules, and with ethical standards. Secondary Supervising Licensees may also be registered to supervise the Assistant, allowing for flexibility in scheduling.

(d) The Primary Supervising Licensee must keep the Board appraised of any changes in registration information.

(1) Changes of supervising licensee(s) will require prior written approval of the Board and should be requested in writing at least 10 days prior to the effective date.

(2) Changes that do not directly relate to patient care, such as change of address, must be reported to the Board in writing within 10 business days of the effective change.

(e) The Primary Supervising Licensee shall remit to the Board an annual registration fee for the Assistant in an amount of forty dollars ($40.00).

History Note: Authority G.S. 90-298.1; 90-304(a)(3);
Eff. July 1, 1998.

.1004 AUTHORIZED TASKS OF SPEECH-LANGUAGE PATHOLOGY ASSISTANTS

(a) Direct Patient Services:

(1) Obtaining case histories from patients and/or families and completing observation checklists.

(2) Administering speech-language screening protocols, as directed by the supervising speech-language pathologist. These screening procedures, including tests and checklists or parts of tests and checklists, will have the purpose of determining the need for further (diagnostic) testing by the supervising speech-language pathologist and must meet the following criteria:

(A) Have unambiguous administration protocols and methods.

(B) Consist of test items which require no more than a binary judgment (i.e., yes-no, present-absent).

(C) Require no more than a specifically-elicited single response.
(D) Require no clinical interpretation by the assistant.

(3) Administering therapeutic protocols, provided that all of the following criteria are met:
(A) Supervision provided by the supervising speech-language pathologist(s) according to the supervision standards of the rules.
(B) Utilizing appropriate stimuli according to a specified protocol determined by the supervising speech-language pathologist(s).
(C) Recording specific target behaviors.
(D) Reinforcing the patient's responses appropriately following a specified protocol
(E) Providing appropriate cues following a specified protocol when the patient does not produce a correct response.
(F) Summarizing observations of the patient's performance for the supervising speech-language pathologist(s).

(4) Tabulating/scoring screening results, target behaviors, and performance data.

(5) Managing the behavior of patients using behavioral management techniques, as directed by the supervising speech-language pathologist, to establish and maintain appropriate social interaction and motivation/attention to task.

(6) Preparing or positioning patients for evaluation or treatment following specific guidelines of the supervising speech-language pathologist and of the facility.

(7) Communicating with patients, families, and professionals in order to respond appropriately and effectively to patient/family emotional needs and to alert the speech-language pathologist of any problems which may affect treatment outcomes or service quality.

(8) Documenting written/verbal communication with patients, parents, families and educational or medical personnel on the above or related management issues, as directed by the supervising speech-language pathologist.

(9) Direct patient services for evaluation are not within the approved scope of responsibilities for assistants.

(10) Demonstration projects will be authorized by the Board to develop safe and effective swallowing protocols for speech-language pathology assistants.

(b) Indirect Patient Services:

(1) Organizing and managing patient data and patient records, including the following examples:
(A) Documenting historical information in sequence (e.g., chronologically).
(B) Listing missing information.
(C) Confirming, obtaining, and documenting orders/permissions.
(D) Obtaining patient records from external agencies.
(E) Recording patient information from medical or educational records.
(F) Compiling session-to-session data and compiling/comparing outcome data.
(G) Tallying scores on standardized and criterion-referenced tests which require no clinical interpretation by the assistant.
(H) Calculating/determining percentages, frequencies, averages, percentiles, standard scores, etc. from raw data or reference manuals.
(I) Graphing performance data.
(J) Providing a clear, legible record of patient/client performance.
(K) Administering and profiling patient satisfaction measurements.
(L) Assigning/verifying communication disorder and procedure codes.
(M) Scheduling/confirming patent appointments.
(N) Recording treatment and procedure times.

(2) Transporting or escorting patients to/from the testing or therapy area.

(3) Arranging the clinical or treatment setting to maintain a safe and positive environment by providing appropriate seating, providing age-appropriate and culturally appropriate material or toys, and adjusting light and temperature.
(A) Creating materials and/or games to be used during therapy.
(B) Assisting patients/families to obtain and organize materials needed for treatment programs.

(4) Managing, operating, programming, and/or monitoring clinical equipment and materials, including the following:
- Assistive listening devices
- Augmentative communication devices
- Voice equipment
- Audio recording equipment
- Other audiovisual equipment
- Computer-based equipment and software
(A) Setting up equipment and materials for feeding and swallowing sessions.
(B) Setting up other clinical equipment or materials for tasks.
(C) Verifying safety status of equipment.
(D) Maintaining equipment records.

(5) Cleaning equipment, reusable materials, and treatment/work areas using appropriate infection control procedures.

(6) Adhering to the principles of universal precautions when providing services to patients/clients.

(c) Requirements For Providing Services Ethically and Responsibly:

(1) Maintaining patient confidentiality and security of patient records.

(2) Respecting the rights and dignity of all individuals.

(3) Reporting any workplace conduct which appears to be

unethical or illegal to the supervising speech-language pathologist or to the Board of Examiners.

(4) Requesting assistance from the supervising speech-language pathologist, as needed, in order to ensure continuous service quality.

(5) Observing universal precautions and safety procedures.

(6) Releasing patients only to the care of appropriate caregivers.

(d) Participating in Research Activities:

(1) Categorizing task-related materials.

(2) Obtaining parent/patient permission forms.

(3) Conducting computer and literature searches.

(4) Encoding and analyzing data.

(5) Establishing reliability.

(6) Filing research information.

(e) Administrative and Clerical Tasks:

(1) Operating office equipment such as word processors, copying machines, laminating machines, fax machines, telephone and voice mail, e-mail, etc.

(2) Copying and sending reports, as appropriate.

(3) Documenting telephone calls and meetings.

(4) Operating and using scheduling, reporting, test scoring software, etc.

(5) Ordering and maintaining supplies and materials.

(6) Organizing and filing patient handouts and educational material.

(7) Verifying insurance coverage, filing insurance claims, and following up on denied claims.

History Note: Authority G.S. 90-298.1; 90-304(a)(3); Eff. July 1, 1998.

.1005 SUPERVISION AND CONTINUING COMPETENCE REQUIREMENTS

Discussing job expectations with the supervising speech-language pathologist(s) and having mutual understanding of job scope and specific responsibilities.

(1) Participating in a specified amount of supervised training according to a written plan for all tests and clinical equipment which will be used for assessment and treatment.

(2) Participating in a specified amount of supervised training according to a written plan in order to ensure correct use of treatment procedures and to demonstrate competent application of new treatment protocols (for example, whenever the stimulus, the target behavior, or the consequence(s) is changed).

(3) Receiving regular, formal employment evaluations on a scheduled basis from the supervising speech-language pathologist(s) to assess one's performance, strengths, and weaknesses and to establish development goals for continuous performance improvement.

(4) Requesting assistance, additional instruction, and/or additional supervision from the supervising speech-language pathologist, when needed.

(5) Participating in various types of educational activities in order to enhance skill and knowledge, as assigned by the supervising speech-language pathologist.

(6) Reading information assigned by the supervising speech-language pathologist.

History Note: Authority G.S. 90-298.1; 90-304(a)(3); Eff. July 1, 1998.

TITLE 23 - DEPARTMENT OF COMMUNITY COLLEGES

CHAPTER 2 - COMMUNITY COLLEGES

SUBCHAPTER 2D - COMMUNITY COLLEGES: FISCAL AFFAIRS

SECTION .0200 - STANDARD STUDENT FEES

.0201 AUTHORITY TO ESTABLISH TUITION AND FEES

(a) Authority to Charge. All tuition and registration fees charged to students for applying to or attending any college of the system shall be approved by the State Board. No tuition rate or fee schedule shall be charged without resolution of the State Board specifying the purpose for which the fee is charged.

(b) Time Due and Deferred Payment. Tuition, registration fees and required academic fees are due and payable at the time of the student's registration. The college shall, with approval of the board of trustees, prescribe written procedures to permit short-term deferred payment or payment in installments; provided, however, that no student shall be permitted to graduate or to register for a new semester unless payment of such outstanding balance has been guaranteed in writing by a financially responsible person or organization. Colleges are authorized to withhold transcripts of grades pending resolution of the outstanding obligations. This statement shall not be construed to prohibit a college's local governing board from adding more stringent provisions.

(c) Establishing Additional Fees:

(1) Generic Fees. Generic fees are fees charged to a group of students, such as students in a specific program or to all students, e.g., lab fees, computer usage fees, publications fees, equipment use fees, etc. Activity and parking fees are discussed in Rule .0202(d) of this Section.

(A) In the event that the president and the governing board of a college determine that the college needs to charge a generic student fee other than the fees already authorized by state statute or State Board rule the president of the college shall file with the State Board through the System President, a request for authorization which shall include the following documentation:

(i) a resolution of the local governing board requesting authorization of the fee, stating the exact rate of payment

proposed; and

(ii) a brief explanation and justification stating the purpose of the fee.

(B) A generic fee requires both local and State Board approval.

(C) Any additional fee established by a college which is approved by the State Board is considered a separate charge to curriculum students and shall not be credited as part payment of tuition.

(D) Receipts collected from any special student fee shall be deposited as State Board regulation shall direct, consistent with state law.

(E) Nothing in any rule shall be construed to condone or to authorize any practice of depositing receipts from any student tuition or student fees in a special fund account at a college, except the student activity fee receipt.

(F) Generic fees shall not be used for any purpose other than that for which the fee was approved, e.g., computer equipment could not be purchased for staff members using generic fee receipts.

(2) Specific Fees. Specific fees are those fees charged to students for items required for specific courses which are considered to be in addition to the normal supplies and materials the college would provide. Examples of supplies and materials required which the college would not normally be expected to provide would include tools, uniforms, insurance, and certification fees.

(A) Specific fees shall be approved by the college Board of Trustees. Such fees shall reflect the actual cost of items received by the student.

(B) All fees shall be deposited into a proper college account and all disbursements shall be made by the college business office.

(C) In the event that there is any question as to whether a fee is generic or specific, the guidelines for generic fees, which require both local and state board approval, are applicable.

(3) Students shall be informed of all approximate fees for a course at the time they enroll. Such fees shall be kept to a minimum consistent with the State Board philosophy to keep student costs as low as possible.

(d) Family Relocation Tuition. Community Colleges may charge in-state tuition to certain out-of-state students who are members of families that were transferred to this state by businesses, industries, or civilian families transferred by the military, for employment. Prior to enrollment, the student shall fulfill the following conditions:

(1) Demonstrate that his or her family moved to this state within the preceding 12 months;

(2) Present a letter to the institution from the employer on corporate letterhead stating that the employee, through which the student claims this benefit, relocated to this state for employment with that business, industry, or military establishment;

(3) Present proof of his or her familial relationship with the employee unless the student is the employee;

(4) Live in the same house with the employee unless the student is the employee;

(5) Present evidence that he or she is financially dependent on the employee through which he or she claims this benefit unless the student is the employee; and

(6) Comply with the requirements of the Selective Service System, if applicable.

The number of students eligible for in-state tuition under this Rule at a college shall not exceed one percent of the average number of out-of-state students, rounded up to the next whole number, at the college in the academic year immediately preceding enrollment. Eligible students shall be granted this benefit on a first-come, first-serve basis.

History Note: Authority G.S. 115D-5; 115D-39; 116-143.1; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. September 1, 1993; September 1, 1982; August 17, 1981; January 14, 1980;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998.

.0202 TUITION AND FEES FOR CURRICULUM PROGRAMS

(a) Tuition:

(1) Student Residence Classification. The classification of students for tuition purposes shall be made pursuant to G.S. 116-143.1.

(2) Tuition Rates In-State:

(A) A general and uniform tuition rate is established by the State Board as set by the Legislature for full-time curriculum students per semester for North Carolina residents.

(B) A North Carolina resident who is a part-time student shall pay a per credit hour rate for curriculum instruction, as established by the State Board, for such tuition in any semester as set by the Legislature.

(3) Learning Laboratory. No tuition fees charged.

(4) Tuition Creditable Upon Transfer of Student. When a student has paid the required tuition at a college and is given permission to transfer to another college within the system during the academic semester for which the tuition was paid, the college from which the student transfers shall issue to him a statement certifying the amounts of tuition that have been paid, and the college to which he is transferring shall accept such certificate in lieu of requiring payment again. [Also, see 23 NCAC 2D .0323(b)(2) which provides information regarding reporting student hours in membership.]

(5) Tuition Student Enrolled in More Than One College. Where a student desires to enroll for the same semester at two or more colleges of the system, the total amount of tuition and fees may be paid to the

student's "home" college. "Home" college is defined as the college which the student initially registers for classes. The home college shall, in that case, assume responsibility for arranging with the other college or colleges for enrolling the student in appropriate classes without further charge. Such arrangement shall be made by exchange of letters between the colleges involved. Student membership hours for instruction received shall, in any event, be reported by the college in which the respective instruction occurred.

(6) Tuition Rates Out-of-State:

(A) Any full-time curriculum student who is an out-of-state resident shall pay tuition fees as established by the State Board for each semester as set by the Legislature.

(B) An out-of-state resident who is a part-time student shall pay a per credit hour rate for curriculum instruction as established by the State Board as set by the Legislature.

(7) Tuition Exemptions:

(A) Individuals taking courses in the categories set forth in G.S. 115D-5(b) shall be exempt from tuition.

(B) College Staff Members. Full-time college staff members may enroll in one curriculum or extension course per semester, as well as the summer academic period, in the system without payment of tuition or registration fee.

(C) Basic Law Enforcement Training Program (BLET) for law enforcement officers. All law enforcement officers employed by a municipal, county, state, or federal law enforcement agency when taking courses in a state-mandated BLET training program, are exempt from tuition payment. Also, trainees may be exempt from BLET class tuition if a letter of sponsorship from an appropriate law enforcement agency is on file at the college.

(b) Pre-Enrollment Deposit. When a prospective student has made application for admission and has been accepted, the student may be required to pay an advance deposit up to a maximum of fifteen dollars ($15.00). This advance payment is not refundable unless the class(es) fails to materialize. This advance payment shall be deposited to the State Treasurer and credited against the full tuition due from the student during the regular registration period.

(c) Late Enrollment Fee. A late enrollment fee up to five dollars ($5.00) may be charged curriculum students registering after the specific closing date of registration, with such fees becoming state funds.

(d) Student Activity Fee. Colleges may establish a student activity fee which may include a parking fee or a scheduled vehicle registration fee for those students who require parking facilities. The maximum amount that may be charged for the student activity fee shall not exceed thirty-eight dollars ($38.00) per student per fiscal year. Students may be assessed a parking fee, vehicle registration fee, or similar fee separate from the student activity fee; however, when such a fee is added to the student activity fee, the sum shall not exceed thirty-eight ($38.00) per student per fiscal year. Funds derived from collection of a student activity fee shall be accounted for and expended under standing procedures and regulations adopted by the local governing board of the college. Any expenditure from the fund must directly benefit students.

(e) Tuition Refunds.

(1) A refund shall not be made except under the following circumstances:

(A) A 100 percent refund shall be made if the student officially withdraws prior to the first day of class(es) of the academic semester as noted in the college calendar. Also, a student is eligible for a 100 percent refund if the class in which the student is officially registered fails to "make" due to insufficient enrollment.

(B) A 75 percent refund shall be made if the student officially withdraws from the class(es) prior to or on the official 10 percent point of the semester.

(C) For classes beginning at times other than the first week (seven calendar days) of the semester a 100 percent refund shall be made if the student officially withdraws from the class prior to the first class meeting. A 75 percent refund shall be made if the student officially withdraws from the class prior to or on the 10 percent point of the class.

(D) For contact hour classes, apply as Part (e)(1) of this Rule except use 10 calendar days from the first day of the class(es) as the determination date.

(2) To comply with applicable federal regulations regarding refunds, federal regulations will supersede the state refund regulations stated in this Rule.

(3) Where a student, having paid the required tuition for a semester, dies during that semester (prior to or on the last day of examinations of the college the student was attending), all tuition and fees for that semester may be refunded to the estate of the deceased.

(4) For a class(es) which the college collects receipts which are not required to be deposited into the State Treasury account, the college shall adopt appropriate local refund policies.

History Note: Filed as a Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 115D-5; 115D-39; 116-143.1; P.L. 93-508; S.L. 1995, c. 625;
Eff. February 1, 1976;
Amended Eff. June 1, 1994; September 1, 1993; August 1, 1988; December 1, 1984;
Temporary Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998.

.0203 FEES FOR EXTENSION PROGRAMS

(a) Registration fees for Non-Curriculum Extension Instruction. For purposes of administration of this Rule, non-curriculum extension instruction means all instruction organized, supervised, or delivered outside the regular curriculum programs offered by the college.

(1) A registration fee, as established by the State Board, as set by the Legislature shall be charged for each occupational extension class.

(2) Each local board shall establish registration fees for Community Service Programs.

(3) All recreational courses shall be self-supporting. Colleges shall collect and deposit to a local account fees and other contributions to support entirely the costs of all recreational extension courses taught. Also note Paragraph (e) of Rule .0325 of this Subchapter regarding the reporting of student membership hours for this area.

(4) A registration fee shall be charged for each extension class of 21 weeks or less. A registration fee shall be charged each 16 weeks for extension classes lasting longer than 21 weeks.

(5) Registration Fee Exemptions:

(A) Special Extension Training Programs. No registration fees shall be charged students enrolling for special extension training programs that directly relate to job performance set forth in G.S. 115D-5(b).

(B) College Staff Members. Full-time college staff members may enroll in one extension or curriculum course per semester in the system without registration fee or tuition charges.

(b) Self-Supported Classes. A college may sponsor self-supporting classes, [see 23 NCAC 2E .0101], deposit income (if any) to a local account, and pay all expenses from such local account. Each student is required to pay a pro-rata share of the cost of a self-supporting class. Since the pro-rata share assumed is not considered a registration fee, no individual or group is exempt under G.S. 115D-5(b) from paying a proportional share of the identified cost of the class.

(c) Driver Education. Colleges shall collect a student fee as established by the local board of trustees for the adult driver education training course offered through the community service program.

(d) Registration Fee Refunds. A refund shall not be made except under the following circumstances:

(1) A student who officially withdraws from an extension class(es) prior to the first class meeting shall be eligible for a 100 percent refund. Also, a student is eligible for a 100 percent refund if an applicable class fails to "make" due to insufficient enrollment.

(2) After the respective class begins, a 75 percent refund shall be made upon the request of the student if the student officially withdraws from the class prior to or on the 10 percent point of the scheduled hours of the class.

Note: This Rule is applicable regardless of the number of times the class meets or the number of hours the class is scheduled to meet.

(3) For contact hour classes, apply Subparagraphs (d)(1) and (d)(2) of this Rule except use 10 calendar days from the first day of the class(es) as the determination date.

(4) For a class(es) which the college collects receipts which are not required to be deposited into the State Treasury account, the college shall adopt appropriate local refund policies.

(5) If a student, having paid the required registration fee for a semester, dies during that semester (prior to or on the last day of examinations of the college the student was attending), all registration fees for that semester may be refunded to the estate of the deceased.

History Note: Filed as a Temporary Amendment Eff. November 1, 1993 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Authority G.S. 115D-5; 115D-39; S.L. 1995, c. 625;
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Temporary Amendment Eff. June 1, 1997;
Amended Eff. July 1, 1998.

SUBCHAPTER 2E - EDUCATIONAL PROGRAMS

SECTION .0200 - CURRICULUM PROGRAMS

.0204 COURSES AND STANDARDS FOR CURRICULUM PROGRAMS

A common course library and curriculum standards for associate degree, diploma, and certificate programs shall be as follows:

(1) Common Course Library.

(a) The Common Course Library shall contain the following elements for all curriculum program credit and developmental courses approved for the North Carolina Community College System.

(i) Course prefix;

(ii) Course number;

(iii) Course title;

(iv) Classroom hours and laboratory, clinical, and work experience contact hours, if applicable;

(v) Credit hours;

(vi) Prerequisites and corequisites, if applicable; and

(vii) Course description consisting of three sentences.

(b) A numbering system for the Common Course Library is as follows:

(i) The numbers 050-099 shall be assigned to developmental courses.

(ii) The numbers 100-109 and 200-209 shall be assigned to courses approved only at the certificate and diploma level. These

courses shall not be included in associate degree programs.

(iii) The numbers 110-199 and 210-299 shall be used for courses approved at the associate degree level. These courses may also be included in certificate and diploma programs.

(c) The college shall use the course information (prefix, number, title, and classroom, laboratory, clinical, work experience, and credit hours; prerequisites and corequisites; and course description) as listed in the Common Course Library.

(i) The college may add a fourth sentence to the course description to clarify content or instructional methodology.

(ii) A college may divide courses into incremental units for greater flexibility in providing instruction to part-time students or to provide shorter units of study for abbreviated calendars. The following criteria shall apply to courses divided into incremental units:

(A) A curriculum program course may be divided into two or three units, which are designated with an additional suffix following the course prefix and number.

(B) The units shall equal the entire course of instruction, without omitting any competencies.

(C) The combined contact and credit hours for the units shall equal the contact and credit hours for the course.

(D) If the course is a prerequisite to another course, the student shall complete all component parts before enrolling in the next course.

(E) The components of a split curriculum program course shall not be used to supplant training for occupational extension.

(d) The Department of Community Colleges shall revise and maintain courses in the Common Course Library.

(2) Development of Curriculum Standards. The standards for each curriculum program title shall be established jointly by the Department of Community Colleges and the institution(s) proposing to offer the curriculum program based on criteria established by the State Board of Community Colleges. Changes in curriculum standards shall be approved by the State Board of Community Colleges. Requests for changes in the standards shall be made to the State Board of Community Colleges under the following conditions:

(a) A request is made to the Department of Community Colleges to change the standards for a curriculum program title; and

(b) A two-thirds majority of institutions approved to offer the curriculum program title concur with the request.

(3) Criteria for Curriculum Standards. The standards for each curriculum program title shall be based on the following criteria established by the State Board of Community Colleges for the awarding of degrees, diplomas, and certificates.

(a) Associate in Applied Science Degree. The Associate in Applied Science Degree shall be granted for a planned program of study consisting of a minimum of 64 and a maximum of 76 semester hours of credit from courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in applied science degree curriculum program shall include a minimum of 15 semester hours of credit from general education courses selected from the Common Course Library, including six hours in communications, three hours in humanities or fine arts, three hours in social or behavioral sciences, and three hours in natural sciences or mathematics.

(ii) The associate in applied science degree curriculum program shall include a minimum of 49 semester hours of credit from major courses selected from the Common Course Library. Major courses are those which offer specific job knowledge or skills.

(A) The major hours category shall be comprised of identified core courses or subject areas or both which are required for each curriculum program. Subject areas or core courses shall be based on curriculum competencies and shall teach essential skills and knowledge necessary for employment. The number of credit hours required for the core shall not be less than 12 semester hours of credit.

(B) The major hours category may also include hours required for a concentration of study. A concentration of study is a group of courses required beyond the core for a specific related employment field. A

concentration shall include a minimum of 12 semester hours, and the majority of the course credit hours shall be unique to the concentration.

(C) Other major hours shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours of credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

(D) Work experience, including cooperative education, practicums, and internships, may be included in an associate in applied science degree curriculum program up to a maximum of eight semester hours of credit. Under a curriculum standard specifically designed for select associate degree programs, work experience shall be included in a curriculum up to a maximum of 16 semester hours of credit. The select associate degree programs shall be based on a program of studies registered under the North Carolina Department of Labor Apprenticeship programs. Only eight semester hours of credit of work experience shall earn budget FTE. The Department of Community Colleges shall implement the Pilot Work Experience Project and shall submit to the State Board of Community Colleges a report, including the number of students involved and associated costs, one year after this Rule as revised is effective.

(iii) An associate in applied science degree curriculum program may include a maximum of seven other required hours to complete college graduation requirements. These courses shall be selected from the Common Course Library.

(iv) Selected topics or seminar courses may be included in an associate in applied science degree program up to a maximum of three semester hours of credit. Selected topics or seminar courses shall not substitute for required general education or major core courses.

(b) Associate in Arts and Associate in Science Degrees. The Associate in Arts and Associate in Science Degrees shall be granted for planned programs of study consisting of a minimum of 64 and a maximum of 65 semester hours of credit from approved college transfer courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in arts and associate in science degree programs shall include a minimum of 44 semester hours of general education core courses selected from the Common Course Library and approved for transfer to the University of North Carolina constituent institutions. The general education core shall include:

(A) six semester hours of English composition.

(B) 12 semester hours of humanities or fine arts, with four courses to be selected from at least three of the following disciplines: music, art, drama, dance, foreign languages, interdisciplinary humanities, literature, philosophy, and religion. At least one course shall be a literature course. Three semester hours credit in speech or communication may be substituted for three semester hours credit in humanities or fine arts.

(C) 12 semester hours of social or behavioral sciences, with four courses to be selected from at least three of the following disciplines: anthropology, economics, geography, history, political science, psychology, and sociology. At least one course shall be a history course.

(D) 14 semester hours of natural sciences or mathematics; six hours shall be mathematics courses; eight hours shall be natural sciences courses, including accompanying laboratory work, selected from among the biological and physical science disciplines.

(ii) The associate in arts and associate in science degree programs shall include a

minimum of 20 and a maximum of 21 additional semester hours of credit selected from courses in the Common Course Library which have been approved for transfer to the University of North Carolina constituent institutions. Courses in health, physical education, college orientation, or study skills may be included. Selected topics or seminar courses up to a maximum of three semester hours credit may be included. Work experience, including cooperative education, practicums, and internships, may be included up to a maximum of one semester hour of credit for career exploration.

(A) The associate in arts degree curriculum program shall include a minimum of 20 semester hours of credit from general education and pre-major courses which have been approved for transfer.

(B) The associate in science degree curriculum program shall include a minimum of 14 semester hours in mathematics or science and professional courses which have been approved for transfer.

(c) Associate in Fine Arts Degree. The Associate in Fine Arts Degree shall be granted for planned programs of study consisting of a minimum of 64 and a maximum of 65 semester hours of credit from approved college transfer courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in fine arts degree programs shall include a minimum of 28 semester hours of general education core courses selected from the Common Course Library and approved for transfer to the University of North Carolina constituent institutions. The general education core shall include:

(A) six semester hours of English composition.

(B) six semester hours of humanities or fine arts, with two courses to be selected from two of the following disciplines: music, art, drama, dance, foreign languages, interdisciplinary humanities, literature, philosophy, and religion. At least one course shall be a literature course. Three semester hours credit in speech or communication may be substituted for three semester hours credit in humanities or fine arts.

(C) nine semester hours of social or behavioral sciences, with three courses to be selected from three of the following disciplines: anthropology, economics, geography, history, political science, psychology, and sociology. At least one course shall be a history course.

(D) three semester hours of introductory mathematics.

(E) four semester hours from the natural sciences, including accompanying laboratory work.

(ii) The associate in fine arts degree programs shall include a minimum of 36 and a maximum of 37 additional semester hours of credit from courses in the Common Course Library which have been approved for transfer to the University of North Carolina constituent institutions. Courses in health, physical education, college orientation, or study skills may be included. Selected topics or seminar courses up to a maximum of three semester hours credit may be included. Work experience, including cooperative education, practicums, and internships, may be included up to a maximum of one semester hour of credit for career exploration.

(d) Associate in General Education. The Associate in General Education shall be granted for a planned program of study consisting of a minimum of 64 and a maximum of 65 semester hours of credit from courses at the 110-199 and 210-299 levels. Within the degree program, the institution shall include opportunities for the achievement of competence in reading, writing, oral communication, fundamental mathematical skills, and the basic use of computers.

(i) The associate in general education degree curriculum program shall include a minimum of 15 semester hours of credit from general education courses selected from the Common Course Library, including six hours in communications, three hours in humanities or fine arts, three hours in social or behavioral sciences, and three hours in natural sciences or mathematics.

(ii) The remaining hours in the associate in general education degree curriculum program shall consist of additional general education courses selected from the Common Course Library. A maximum of seven semester hours of credit in health, physical education, and college orientation or study skills courses may be included. Selected topics or seminar courses may be included in a program of study up to a maximum of three semester hours credit.

(e) Diploma. The Diploma shall be granted for a planned program of study consisting of a minimum of 36 and a maximum of 48 semester hours of credit from courses at the 100-299 level.

(i) Diploma curricula shall include a minimum of six semester hours of general education courses selected from the Common Course Library. A minimum of three semester hours of credit shall be in communications, and a minimum of three semester hours of credit shall be selected from courses in humanities and fine arts, social and behavioral sciences, or natural sciences and mathematics.

(ii) Diploma curricula shall include a minimum of 30 semester hours of major courses selected from the Common Course Library.

(A) A diploma curriculum program which is a stand-alone curriculum program title shall include identified core courses or subject areas or both within the major hours category.

(B) Courses for other major hours in a stand-alone diploma curriculum program title shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours of credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

(C) Work experience, including cooperative education, practicums, and internships, may be included in a diploma curriculum program up to a maximum of eight semester hours of credit.

(iii) A diploma curriculum program may include a maximum of four other required hours to complete college graduation requirements. These courses shall be selected from the Common Course Library.

(iv) An institution may award a diploma under an approved associate in applied science degree curriculum program for a series of courses taken from the approved associate degree curriculum program of study.

(A) A diploma curriculum program offered under an approved associate degree curriculum program shall meet the standard general education and major course requirements for the diploma credential.

(B) A college may substitute general education courses at the 100-109 level for the associate-degree level general education courses in a diploma curriculum program offered under an approved degree program.

(C) The diploma curriculum program offered under an approved associate degree curriculum program shall require a minimum of 12 semester hours of credit from courses extracted from the required core courses and/or subject areas of the respective associate in applied science degree curriculum program.

(v) Selected topics or seminar courses may be included in a diploma program up to a maximum of three semester hours of credit. Selected topics and seminar courses shall not substitute for required general education or major core courses.

(f) Certificate Programs. The Certificate shall be granted for a planned program of study consisting of a minimum of 12 and a maximum of 18 semester hours of credit from courses at the 100-299 level.

(i) General education is optional in certificate curricula.

(ii) Certificate curricula shall include a minimum of 12 semester hours of major courses selected from the Common Course Library.

(A) A certificate curriculum program which is a stand-alone curriculum program title or which is the highest credential level awarded under an approved associate in applied science degree or diploma program shall include 12 semester hours of

credit from core courses or subject areas or both within the major hours category.

(B) Courses for other major hours in a stand-alone certificate curriculum program shall be selected from prefixes identified on the curriculum standard. A maximum of nine semester hours of credit may be selected from any prefix listed, with the exception of prefixes listed in the core or concentration.

(C) Work experience, including cooperative education, practicums, and internships, may be included in a certificate program up to a maximum of two semester hours of credit.

(iii) A certificate curriculum program may include a maximum of one other required hour of credit to complete college graduation requirements. This course shall be selected from the Common Course Library.

(iv) An institution may award a certificate under an approved degree or diploma curriculum program for a series of courses totaling a minimum of 12 semester hours of credit and a maximum of 18 semester hours of credit taken from the approved associate degree or diploma curriculum program of study.

(v) Selected topics or seminar courses may be included in a certificate program up to a maximum of three semester hours credit.

(4) Curriculum Standards Compliance. Each institution shall select curriculum program courses from the Common Course Library to comply with the standards for each curriculum program title the institution is approved to offer. The selected courses shall comprise the college's program of study for that curriculum program.

(a) Each institution shall maintain on file with the Department of Community Colleges a copy of the official program of study approved by the institution's board of trustees.

(b) When requesting approval to offer a curriculum program title, an institution shall submit a program of study for that curriculum program title.

(c) A copy of each revised program of study shall be filed with and approved by the Department of Community Colleges prior to implementation at the institution.

History Note: Authority G.S. 115D-5; S.L. 1995, c. 625; Temporary Adoption Eff. June 1, 1997; Eff. July 1, 1998.

.0205 PROGRAM REVIEW

(a) Each college shall monitor the quality and viability of all its programs and services. Each curriculum program and occupational extension program shall be reviewed annually. Colleges shall provide information to the Department of Community Colleges on program enrollment; cost; student progress, achievement and outcomes; and employer satisfaction.

(b) Associate in Applied Science, diploma and certificate programs shall meet the following standards for performance:

(1) the standard required by an outside licensure or accrediting agency for passing rates on licensure or certification examinations, where applicable; and

(2) a satisfactory level on at least five of the following eight required elements:

(A) a three year annual average enrollment of at least 10 students, unduplicated headcount;

(B) student goal accomplishment for program completion;

(C) student goal accomplishment for other student goals;

(D) program completer satisfaction with program;

(E) early leaver satisfaction with program;

(F) program completer employment rate;

(G) early leaver employment rate;

(H) employer satisfaction.

The performance level on Parts (b)(2)(B) through (b)(2)(H) of this Rule shall be no more than 15 percent below the system average and shall be determined by an annual survey conducted by each college based on a standard set of questions developed by the Department of Community Colleges.

(c) The Associate in Arts, Associate in Science, and Associate in Fine Arts degree programs' performance level shall be no more than 15 percent below the system average grade point average earned after two semesters in a four-year institution for students who completed 60 or more semester credit hours at the community college.

(d) Programs which do not meet these standards shall be subject to further review to document temporary or permanent conditions which shall be taken into account to justify offering the program. If further review fails to provide a justification for the program or to lead to improvement so that the program meets the standards, the program shall be terminated.

Note: Substance of former 23 NCAC 2C .0604 was incorporated into this Rule.

History Note: Authority G.S. 115D-5; 1993 S.L. c. 321, s. 109; S.L. 1995, c. 625; Eff. February 1, 1990; Amended Eff. August 1, 1995; September 1, 1993; Temporary Amendment Eff. June 1, 1997; Amended Eff. July 1, 1998.

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, May 21, 1998, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, May 18, 1998, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

RULES REVIEW COMMISSION MEMBERS

Appointed by Senate
Teresa L. Smallwood, Vice Chairman
Jim Funderburke
Vernice B. Howard
Philip O. Redwine
David Twiddy

Appointed by House
Paul Powell, Chairman
Anita White, 2nd Vice Chairman
Mark Garside
Steve Rader
George Robinson

RULES REVIEW COMMISSION MEETING DATES

May 21, 1998
June 18, 1998
July 23, 1998
August 20, 1998
September 17, 1998
October 15, 1998

MEETING DATE: MAY 21, 1998

LOG OF FILINGS

RULES SUBMITTED: MARCH 20, 1998 THROUGH APRIL 20, 1998

AGENCY/DIVISION	RULE NAME	RULE CITATION	ACTION
DHHS/SOCIAL SERVICES COMMISSION			
	Coupon Issuance	10 NCAC 30 .0207	Amend
	Waiver of Licensing Rules	10 NCAC 41A .0007	Amend
	Criminal Histories	10 NCAC 41F. 0707	Amend
	Criminal History Checks	10 NCAC 41F. 0813	Amend
	Payment Authorization	10 NCAC 47A .0502	Amend
	Initial Interview	10 NCAC 47B .0102	Amend
	AA-SA Group II	10 NCAC 47B .0303	Amend
	AD-SA Group II	10 NCAC 47B .0304	Amend
	CD-SA Certain Disabled	10 NCAC 47B .0305	Amend
	Residence	10 NCAC 47B .0403	Amend
DENR/WILDLIFE RESOURCES COMMISSION			
	Beaufort County	15A NCAC 10F .0303	Repeal

RULES REVIEW COMMISSION

April 15, 1998
MINUTES

The Rules Review Commission met on April 15, 1998, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Chairman Paul Powell, Mark P. Garside, Philip O. Redwine, Jim R. Funderburk, Steven P. Rader, David R. Twiddy, and Anita A. White.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; Glenda Gruber, Administrative Assistant; and Sandy Webster.

The following people attended:

David Brook	Cultural Resources
Juanita Gaskill	DENR/Marine Fisheries
Ben F. Massey	NC Board of Physical Therapy Examiners
Bill Hale	Insurance
Dedra Alston	DENR
Robin Stancil	Cultural Resources
Tim Simmons	Cultural Resources
Denise Haskell	NC Board of Pharmacy
Ellie Sprenkel	Insurance
Mark Payne	Insurance
Liz Cullington	Citizen
Harry Wilson	State Board of Education
David Massey	Secretary of State
Marc Lodge	DHHS
Sheila Pope	Secretary of State
David S. Tuttle	NC Board of Engineers and Land Surveyors
Bob Bode	Bode, Call and Stroupe
Jerry Carter	NC Board of Engineers and Land Surveyors
Noel Allen	NC Board of Architects
Vega George	DENR
Tom West	Poyner & Spruill
Allen Wahab	DENR/DWQ
Dick Carlton	Attorney
Eric Mussler	Price Waterhouse
Sid Harrell	DENR/DEH
Alison Davis	DENR/Coastal Management
Dee Williams	Cosmetic Art Examiners
Ann Christian	Attorney
Jim Lynn	Agriculture/Structural Pest Control
Jim Hall	DENR/NC Child Care Commission
Janice Fain	DHHS/Child Development
Nancy Guy	DHHS/Child Development
M. Farmer	DHHS/Child Development
Sabra Faires	Revenue
Mary Shuping	General Assembly
Portia Rochelle	DHHS/DMA
Anna Tefft	OSBM
Mark Sisak	OSBM
Nat Murd	Conservation Council of NC
Louis Zeller	Blue Ridge Environmental Defense League

APPROVAL OF MINUTES

The meeting was called to order at 10:05 a.m. with Chairman Powell presiding. He asked for any discussion, comments, or corrections concerning the minutes of the March 19, 1998 meeting. There being none, the minutes were approved.

FOLLOW-UP MATTERS

7 NCAC 4R .0909, .0910, .0911, .0912, .0913, .0914, and .0915 - CULTURAL RESOURCES/NC Historical Commission: The Commission approved the rewritten rules submitted by the agency.

10 NCAC 3U .0302, .0704, .0806, .1702, and .1720 - DHHS/Child Care Commission: The Commission approved the rewritten rules submitted by the agency.

10 NCAC 3U .0710 - DHHS/Child Care Commission: The Commission approved this rule. Commissioners Redwine and Rader voted not to approve the rule.

12 NCAC 7D .0204 and .1106 - JUSTICE/NC Private Protective Services Board: These rules are to be considered at the next meeting of the Board. No action was necessary.

16 NCAC 6C .0602 - STATE BOARD OF EDUCATION: The Commission approved the rewritten rule submitted by the agency.

16 NCAC 7 .0202 - Education/NC Standards Board for Public School Administration: The Commission approved the rewritten rule submitted by the agency.

17 NCAC 5C .0102 and .0703 - DEPARTMENT OF REVENUE: Office of State Budget and Management determined that these rules have a substantial economic impact. They received an opinion from the Attorney General's office that stated that tax consequences of a rule were to be considered in determining whether the costs included the tax consequences. These rules were withdrawn by the agency. The Commission voted to return them.

17 NCAC 5E .0103 - DEPARTMENT OF REVENUE: The Office of State Budget and Management determined that there was no substantial economic impact and this rule was approved by the Commission.

18 NCAC 6 .1104, .1206, .1212, .1401, .1509, .1702, .1703, .1705, .1706, .1805, and .1811 - SECRETARY OF STATE: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 2 .0904 and .0906 - NC Board of Architecture: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 12 .0204 - NC Licensing Board for General Contractors: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 14H .0005 - NC State Board of Cosmetic Art Examiners: The Commission approved the rewritten rule submitted by the agency.

21 NCAC 14J .0501 - NC State Board of Cosmetic Art Examiners: The Commission approved the rewritten rule submitted by the agency.

21 NCAC 14K .0003 - NC State Board of Cosmetic Art Examiners: The Commission approved the rewritten rule submitted by the agency.

21 NCAC 14N .0102, .0107, and .0113 - NC State Board of Cosmetic Art Examiners: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 18B .0209, .0404, and .0802 - NC State Board of Examiners of Electrical Contractors: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 46 .1804 - NC Board of Pharmacy: The Office of State Budget and Management determined that there was a substantial fiscal impact from this rule. The rule was returned to the agency.

21 NCAC 48A .0103 and .0105 - NC Board of Physical Therapy Examiners: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 48C .0401 - NC Board of Physical Therapy Examiners: The Commission approved the rewritten rule submitted by the agency.

21 NCAC 48D .0102, .0105, and .0112 - NC Board of Physical Therapy Examiners: The Commission approved the rewritten rules submitted by the agency.

21 NCAC 48F .0102 - NC Board of Physical Therapy Examiners: The Commission approved the rewritten rule submitted by the agency.

21 NCAC 48G .0203 and .0404 - NC Board of Physical Therapy Examiners: The Commission approved the rewritten rules submitted

by the agency contingent upon receiving technical changes for .0404 today. The rule was subsequently received.

21 NCAC 48G .0601 - NC Board of Physical Therapy Examiners: The Commission approved the rule submitted by the agency contingent upon receiving a technical change in the rule today. The rule was subsequently received.

21 NCAC 50.1210, and .1212 - State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors: The Commission received no appropriate response from the agency on these rules.

LOG OF FILINGS

Chairman Powell presided over the review of the log and all rules were approved with the following exceptions:

2 NCAC 34 .0404 - AGRICULTURE/NC State Pest Control Committee: The Commission objected to this rule due to ambiguity. It is unclear who or what constitutes an "individual affected" in (1).

15A NCAC 2Q .0708 - DENR/Environmental Management Commission: The Commission objected to the rule due to lack of statutory authority. Subparagraph (d)(4) is a waiver provision without specific guidelines. They approved the rewritten rule deleting the waiver contingent upon receiving it today. The rule was subsequently received.

Commissioner White recused herself from the Department of Insurance rules.

15A NCAC 10G .0404 - DENR/Wildlife Resources Commission: The Commission voted to extend the period of review on this rule in order to give the Wildlife Resource Commission an opportunity to get legislative authority for the rule.

21 NCAC 56 .0103 - NC Board of Registration for Professional Engineers and Land Surveyors: There was a motion to object to this rule due to lack of necessity. Commissioners Funderburk, Garside, and White voted not to object. A motion to approve the rule passed with Commissioner Rader voting not to approve.

21 NCAC 68 .0305 - NC Substance Abuse Professional certification Board: The Commission objected to this rule due to lack of statutory authority. There is no authority for the provision in (6) about the applicant being a North Carolina resident.

DIRECTOR'S REPORT

The bylaws will be discussed at next month's meeting from 10:00 to 10:30 a.m. The Rules Review Commission meeting will not begin until 10:30 a.m.

COMMISSION PROCEDURES AND OTHER MATTERS

Ms. Gruber told the Commissioners that breakfast could not be claimed as a meal unless the Commissioner left home before 6:30 a.m. and that dinner could not be claimed unless the Commissioner returned home after 8:00 p.m. The July meeting was changed from July 16 to July 23 because of the NASS conference.

The next meeting will be on May 21, 1998.

The meeting adjourned at 12:50 p.m.

Respectfully submitted,
Sandy Webster

This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Brenda B. Becton
Sammie Chess Jr.
Beecher R. Gray
Meg Scott Phipps
Robert Roosevelt Reilly Jr.
Dolores O. Smith

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
ADMINISTRATION				
E. Edward Gambill v. Department of Administration	97 DOA 0364	Reilly	09/10/97	
Triangle CAD Solutions, Inc. v. Div. Purchase and Contract, EHNR	97 DOA 0670	Reilly	12/19/97	
Henry Bryon Brewer v. NC Commission of Indian Affairs	97 DOA 0959	Gray	12/17/97	
OFFICE OF ADMINISTRATIVE HEARINGS				
Sir Gregory Leo Kelly, Ruby Louise Kelly v. Sheila Director Ocean House and Mental Health Southeastern Regional Wilmington, NC	97 OAH 0714	Chess	03/24/98	
Sir Gregory Leo Kelly, Ruby Louise Kelly v. Client Complaint Secretary (Art Constantini) Mental Health Director	97 OAH 0715	Chess	03/24/98	
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Michael's Mini Mart v. Alcoholic Beverage Control Commission	92 ABC 1601	Gray	08/18/97	
Everette Craig Hornbuckle v. Alcoholic Beverage Control Commission	93 ABC 0987	Gray	08/18/97	
Saleh Ahmed Ali Futhah v. Alcoholic Beverage Control Commission	94 ABC 0264	Gray	08/18/97	
Carolyn T. Ray v. Alcoholic Beverage Control Commission	95 ABC 0429	Gray	09/23/97	
Alcoholic Beverage Control Commission v. Fast Fare, Inc.	96 ABC 0483	Morrison	06/18/97	
Alcoholic Beverage Control Commission v. Mendoza Enterprises, Inc.	96 ABC 1196	Gray	08/26/97	
Paul Tyler IV Enterprises, Inc., Alpha Vinson T/A Mirrors (Sid's Showgirls) v. Alcoholic Beverage Control Commission and City of Goldsboro and Gurnan Khera	96 ABC 1804	Morrison	09/29/97	
George Robert Scott v. Alcoholic Beverage Control Commission	96 ABC 1995	Reilly	12/05/97	
Nasar Sader v. Alcoholic Beverage Control Commission	97 ABC 0030	Phipps	10/08/97	
Alcoholic Beverage Control Commission v. Paradise Landing, Inc.	97 ABC 0031	Gray	06/13/97	
OFFISS, Inc. v. Alcoholic Beverage Control Commission	97 ABC 0118	Gray	09/17/97	
Alcoholic Beverage Control Commission v. Fast Fare, Inc. No. 576	97 ABC 0197	Morrison	01/15/98	
Alcoholic Beverage Control Commission v. Altaf Hussain	97 ABC 0312	Mann	07/29/97	
Alcoholic Beverage Control Commission v. Robert Johnson	97 ABC 0321	Gray	08/25/97	
Alcoholic Beverage Control Commission v. Crown Central Petroleum Corp.	97 ABC 0325	Gray	04/15/98	
Alcoholic Beverage Control Commission v. Masonboro County Store, Inc.	97 ABC 0432	Reilly	09/09/97	
Daniel Gary Ledbetter v. Alcoholic Beverage Control Commission	97 ABC 0443	Gray	07/08/97	
Alcoholic Beverage Control Comm. v. Raymond Lee	97 ABC 0488	Smith	10/30/97	
Alcoholic Beverage Control Comm. v. Percy Daniel Bowen	97 ABC 0495	Morrison	09/24/97	
Alcoholic Beverage Control Commission v. Bridgette Dee Williams	97 ABC 0576	Phipps	09/04/97	
Alcoholic Beverage Control Commission v. Westside Tavern, Inc.	97 ABC 0586	Phipps	09/17/97	
Alcoholic Beverage Control Commission v. Grove Park Inn Resort, Inc.	97 ABC 0706	Morrison	09/15/97	12:07 NCR 609
Bradford Allan Capps & Garland Lewis Williams v. Alc. Bev. Ctl. Comm.	97 ABC 0820	Reilly	02/05/98	
Alcoholic Beverage Control Commission v. Soo Jung Pak	97 ABC 0834	Reilly	03/04/98	
Sunset Enterprises, Inc. v. Alcoholic Beverage Control Commission	97 ABC 0846	Gray	12/10/97	

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Alcoholic Beverage Control Commission v. 6 Twelve Corporation	97 ABC 0895	Reilly	12 16 97	
Alcoholic Beverage Control Commission v. Kimberly Loette Hankins	97 ABC 0897	Gray	10 06 97	
Alcoholic Bev. Ctl. Comm. v. Monterrey Mex. Rest. of Greensboro, Inc.	97 ABC 0965	Morrison	01 15 98	
Alcoholic Beverage Control Comm. v. Fiesta Mexicana, Inc.	97 ABC 0983	Mann	02 17 98	
Alcoholic Beverage Control Commission v. James Martini	97 ABC 1036	Gray	12 31 97	
Alcoholic Beverage Control Comm. v. Cynthia Lea Wagner	97 ABC 1115	Morrison	02 19 98	
Alcoholic Beverage Control Comm. v. B.B. & S., Inc.	97 ABC 1250	Gray	02 24 98	
Alcoholic Beverage Control Comm. v. Ali Mohmood Ahmed	97 ABC 1289	Morrison	02 26 98	
Momhammed H. Darwish & Hazeem M Eldara v. Alcoholic Bev Ctl Comm	97 ABC 1429	Smith	12 31 97	
Alcoholic Beverage Control Comm. v. Circle K. Stores, Inc.	97 ABC 1538	Smith	03 13 98	
COMMUNITY COLLEGES				
James Elliot Price v. Dept. of Community Colleges, St. Bd of Comm. Col.	98 DCC 0136	Gray	03 11 98	
CORRECTION				
David M. Boone v. Correction, Div. of Prison Admin. Remedy Procedure	97 DOC 0534	Morrison	06 16 97	
CRIME CONTROL AND PUBLIC SAFETY				
Della Sherrod v. Crime Victims Compensation Commission	96 CPS 0300	Chess	07 18 97	
Stanley D. Carter, Sr v. Victims Compensation Commission	96 CPS 1887	Chess	01 26 98	
Mary A. Kearney v. CPS, Victims Compensation Commission	96 CPS 2033	Becton	09 26 97	
Mae Allen Murray v. Crime Victims Compensation Commission	96 CPS 2110	Chess	10 31 97	
Beverly McLaughlin v. Crime Victims Compensation Commission	97 CPS 0170	Phipps	08 29 97	
Malcolm W Fields v. Crime Victims Compensation Commission	97 CPS 0360	Chess	09 12 97	
Rodney P. Hodge v. Crime Victims Compensation Commission	97 CPS 0449	Reilly	07 01 97	
Billy Steen v Crime Victims Compensation Commission	97 CPS 0472	Morrison	07 23 97	
Clifford R. Pulley v. Crime Victims Compensation Commission	97 CPS 0523	Gray	08 06 97	
Curtis Jermaine Newkirk v. Crime Victims Compensation Commission	97 CPS 0645	Morrison	10 03 97	
Huston Christopher Mason v Victims Compensation Commission	97 CPS 0691	Becton	12 04 97	
Percival R. Johnson, AKA Reeves Johnson v. Crime Victims Comp. Comm.	97 CPS 0779	Gray	02 06 98	
Gregory Bynum v. Crime Victims Compensation Commission	97 CPS 0901	Reilly	10 16 97	
Michaela Dionne Brewington v. Crime Victims Compensation Commission	97 CPS 0992	Mann	12 23 97	
Lisa S Snead v. Crime Victims Compensation Commission	97 CPS 1025	Reilly	11 10 97	
Robert L. Welty, II v. Crime Victims Compensation Commission	97 CPS 1073	Gray	01 20 98	
Robert T. Blakeney v. Office of Administrative Hearings	97 CPS 1187	Becton	11 07 97	
Connie Cowan v. Crime Victims Compensation Commission	97 CPS 1214	Becton	12 03 97	
Abram J. Smith v. Crime Victims Compensation Commission	97 CPS 1383	Morrison	04 14 98	
Linda Atkinson v. Crime Victims Compensation Commission	97 CPS 1389	Becton	12 31 97	
Barry Lee Whitley v. Crime Victims Compensation Commission	97 CPS 1691	Mann	04 09 98	
Judy N Scurry for Wendy C. Scurry v. Crime Victims Comp. Comm	98 CPS 0210	Becton	04 20 98	
ECONOMIC AND COMMUNITY DEVELOPMENT				
Leon McNair v. NC Industrial Commission	97 COM 1549	Gray	01 09 98	
ENVIRONMENT AND NATURAL RESOURCES				
Herbert C. Avery v. Environment, Health, and Natural Resources	96 EHR 0161	Chess	09 23 97	
Linda Collie v. Lenoir County Health Department	96 EHR 0264	Becton	07 16 97	
Leroy Anderson v. County of Moore Department of Health	96 EHR 1969	Morrison	07 15 97	12:03 NCR 223
E.H. Garner v. New Hanover Health Department	96 EHR 1972	Gray	08 07 97	
Peter D. McDowell, Sr. v. New Hanover Health Department	96 EHR 2075	Gray	08 07 97	
Dowell Gray v. Department of Environment and Natural Resources and Onslow County Department of Health	97 EHR 0195*[27]	Gray	12 01 97	12:13 NCR 1222
Riggings Homeowners Assoc. Inc. v. Environment, Health, & Natural Res.	97 EHR 0263	Reilly	08 13 97	
John Ronald Taylor v. Environment, Health, & Natural Resources	97 EHR 0275	Reilly	06 09 97	
Independence Mall Associates v. Environment and Natural Resources	97 EHR 0328	Chess	03 06 98	
Rick Parker v Pitt County Health Dept. Mr. Ernie Nichols	97 EHR 0470	Phipps	07 01 97	
James R. Melvin v. Environment and Natural Resources	97 EHR 0682	Phipps	09 23 97	
Roger L. Moore v. Environment and Natural Resources	97 EHR 0821	Smith	03 11 98	
Lee A. Riggs v. Craven County Health Department	97 EHR 0851	Becton	10 02 97	
Tommy Anthony Swangin v Dept of Environment & Natural Resources	97 EHR 0875	Smith	12 15 97	
Robert E. Cahoon v. Carteret County Health Department	97 EHR 0878	Becton	09 30 97	
Jim R. Lanier v. Environment, Health, and Natural Resources	97 EHR 0880	Phipps	03 13 98	
John Martin v. Environment, Health, and Natural Resources	97 EHR 0993*[21]	Phipps	10 13 97	
John Martin v Environment, Health, and Natural Resources	97 EHR 0994*[21]	Phipps	10 13 97	
Jack R. Whitmore v. Dept. of Environment & Natural Resources	97 EHR 1039	Mann	12 17 97	
Rachel S. Tugwell v Environment, Health and Natural Resources	97 EHR 1086	Becton	12 03 97	
Joanne B Huff v. Dept. of Environment and Natural Resources	97 EHR 1149	Reilly	12 30 97	
NC Waste Awareness & Reduction Network, Inc. v. EHNR and Carolina Solite Corporation and Oldover Corporation	97 EHR 1189	Becton	02 16 98	
Alphasine Cheryl Barfield v EHNR, Div. Environmental Health	97 EHR 1221	Morrison	01 28 98	
Mae B. Blankenburg v Dare County Health Dept. (Issued by - Crawford)	97 EHR 1267	Morrison	04 17 98	
Gilbert T. Davis, Jr v. Forsyth County Environmental Affairs Dept.	97 EHR 1281	Smith	11 10 97	

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Selby Franklin Brown v. Wayne County Environmental Health	97 EHR 1534	Smith	01/21/98	
Station Break, Marie K. Graham v. Martin Tyrell Washington, District Health Department	97 EHR 1639	Phipps	03/09/98	
Coastal Management				
Glenn Sasser v. Division of Coastal Management	97 EHR 0763	Gray	12/31/97	
Environmental Management				
Craig King Farms v. EHNR, Environmental Management Commission	96 EHR 0609	Gray	01/14/98	
Henry G. Dail, Dail Brothers v. EHNR, Environmental Management	96 EHR 2104	Gray	08/27/97	
Land Resources				
James H. Lowdermilk & J. Wayne Lowdermilk v. EHNR, Land Res.	96 EHR 0745	Gray	10/30/97	
Charles G. Smith v. EHNR, Division of Land Resources	96 EHR 0855	Gray	10/30/97	
Henry Yancey Ingram, II & Hope Fanning Ingram v. EHNR, Land Res.	96 EHR 0908	Gray	10/30/97	
Thomas Windell Foster, Minnie Foster Tate, Carolyn D. Hughes, Joseph & Lorrie Voliva v. EHNR, Division of Land Resources	97 EHR 1002*[34]	Mann	02/05/98	
Thomas Windell Foster, Minnie Foster Tate, Carolyn D. Hughes, Joseph & Lorrie Voliva v. EHNR, Division of Land Resources	97 EHR 1003*[34]	Mann	02/05/98	
Thomas Windell Foster, Minnie Foster Tate, Carolyn D. Hughes, Joseph & Lorrie Voliva v. EHNR, Division of Land Resources	97 EHR 1043*[34]	Mann	02/05/98	
Thomas Windell Foster, Minnie Foster Tate, Carolyn D. Hughes, Joseph & Lorrie Voliva v. EHNR, Division of Land Resources	97 EHR 1057*[34]	Mann	02/05/98	
Marine Fisheries				
William B. Tate v. Division of Marine Fisheries	96 EHR 1922	Becton	12/16/97	
John A. Trahan v. EHNR, Division of Marine Fisheries	97 EHR 0400	Chess	10/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0917*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0927*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0928*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0929*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0935*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0936*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0961*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0962*[30]	Morrison	12/30/97	
Hassell B. Lawrence, Sr., Gordon Lawrence, Bobby G. Gillikin, Norman W. Gillikin, Oliver C. Lawrence, Hiram Gillikin, Louis Gray Thomas, Jr., Faye Thomas, Mark Allen Gillikin, Millie Lawrence, June Martin	97 EHR 0979*[30]	Morrison	12/30/97	
James Fletcher v. EHNR, Division of Marine Fisheries	97 EHR 0985	Chess	01/28/98	
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STATE OF NORTH CAROLINA COUNTY OF ORANGE	IN THE OFFICE OF ADMINISTRATIVE HEARINGS 97 OSP 1675
TIANYOU ZHENG, Petitioner, v. THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL, Respondent.	RECOMMENDED DECISION IN THE NATURE OF SUMMARY JUDGMENT

THIS MATTER came to be heard upon consideration of the Respondent UNC-Chapel Hill's (UNC-CH) motion to dismiss the petition for a contested case hearing pursuant to G.S. §1A-1, N.C. R. Civ. P. 12(b)(1), 12(b)(2), and 12(b)(6), for lack of jurisdiction and for failure to state a claim for which relief can be granted. Petitioner timely filed a response. After reviewing the motion, the response, the pleadings and the law, the undersigned concludes as a matter of law that the Motion to Dismiss must be converted to a Motion for Summary Judgment pursuant to G.S. §1A-1, N.C. R. Civ. P.12(b) and Rule 56.

FACTUAL BACKGROUND

1. UNC-CH employed the petitioner, Tianyou Zheng, as a Research Technician II in its School of Medicine's Comprehensive Cancer Center on or about November 1, 1996. Petitioner is a Chinese citizen who came to the United States in 1991 on a student (F-1) visa. **Locke Aff., ¶4** When Petitioner ceased being a student and obtained employment at UNC-CH in 1996, he was in this country on F-1(student) optional practical training status which he was eligible to retain for up to twelve months after completing his course work. To remain in the United States beyond that period his employer had to successfully petition the Immigration and Naturalization Service (INS) for a change in his status to H-1B (temporary worker). **Locke Aff., ¶5** Dr. Robert J. Locke, Director of the International Center at UNC-CH, assisted Petitioner's departmental employer in filing the appropriate petition and securing the H-1B status for Petitioner. **Locke Aff., ¶6; Charest Aff., ¶4**

2. Approval for H-1B visa status is valid only for the specific employer and specific job duties that are listed in the petition. **Locke Aff., ¶ 5** The employee can only remain in the United States as long as he is employed by that same employer in a job performing substantially the same duties as those are specified in the petition. If the holder leaves the job for which the status was approved for another job with duties that are not substantially the same as those specified, he and his employer must petition for a new H-1B status. The petitioning process generally takes many months. **Locke Aff., ¶6** If the employee leaves the job for which the H-1B status was issued without having secured other qualifying employment, he must leave the United States within, at most, ten days. **Locke Aff., ¶7**

3. Petitioner experienced problems in his job situation and was issued two written warnings by his supervisor, Dr. William Cance. Petitioner grieved these warnings through the UNC-CH Dispute Resolution and Staff Grievance Procedure. On September 5, 1997, Dr. Cance notified Petitioner that he was being placed on investigatory status with pay for 30 days to permit investigation of allegations that Petitioner had communicated threats to persons in the workplace. **Totten Aff., Exhibit 1**

4. An investigation was conducted by Ann Edwards of the School of Medicine's Human Resources, who made a verbal recommendation for disciplinary action to Dr. Cance. **Totten Aff., ¶4** Because Petitioner had meanwhile requested mediation to attempt to resolve the situation, Ms. Edwards' recommendation for disciplinary action was not implemented at the end of the investigatory period October 5, 1997. **Totten Aff., ¶4** As Petitioner had requested, Petitioner and Dr. Cance began mediation discussions with Joseph L. Totten, Director of the University's Human Resources Counseling Service, serving as mediator. **Totten Aff., ¶¶3-5**

5. Throughout the mediation with Dr. Cance, Petitioner was advised by his attorney, Alan McSurely. **Totten Aff., ¶5** The mediation negotiations continued for approximately two months, during which time Petitioner remained on full pay with the exception of the period from September 12, 1997 through September 30, 1997. **Charest Aff., &9; Totten Aff.,¶ 5** UNC-CH was required to remove Petitioner from the payroll during that period because his F-1 work permission had expired September 14, 1997 and his H-1B visa status was not effective until October 1, 1997. **Locke Aff., ¶9; Charest Aff., ¶9** As of October 1, 1997, Petitioner was reinstated to full pay status. **Charest Aff., ¶9**

6. Petitioner was never suspended or laid off without pay at any time during his employment, and has never suffered loss of pay resulting from any disciplinary action. **Charest Aff., ¶¶8, 11**

7. Dr. Locke worked closely with Petitioner throughout the process of securing his H-1B status. Dr. Locke advised Petitioner of the requirements for retaining H-1B status, including the provision that permitted Petitioner to remain in the United States only if he was working for the same employer in a job requiring substantially the same duties as those of his specific work with the Comprehensive Cancer Center as specified in the H-1B petition. **Locke Aff., ¶¶6-8**

8. The mediation resulted in a settlement agreement (Agreement) of November 3, 1997 reached between and signed by Petitioner, with advice of counsel, and Dr. Cance. **Totten Aff., ¶¶6-7 and Exhibit 3** By the terms of the Agreement, Petitioner agreed to withdraw his grievances and to resign his employment with the Comprehensive Cancer Center on October 31, 1997, effective as of December 31, 1997, remaining on paid status through exhaustion of unused leave until December 1, 1997. Dr. Cance agreed, among other things, to remove the written warnings from Petitioner's personnel file, revise Petitioner's WPPR rating, and provide Petitioner a neutral job reference.

9. UNC-CH agreed to assist Petitioner "through its established resources" with his efforts to find other employment at UNC-CH and to assist him with associated "visa-related issues." **Totten Aff., Exhibit 3, & 10** No representations were made to Petitioner that the University would assure him a job or continued H-1B status, only that he would be assisted through normal mechanisms available to any other applicant for an internal position. **Totten Aff., ¶9**

10. Petitioner and his attorney reviewed the Agreement as drafted by Mr. Totten, and made a few revisions which they initialed. **Totten Aff., ¶6 and Exhibit 3** Petitioner's attorney informed Mr. Totten in writing that Petitioner agreed to the terms of the Agreement as revised. **Totten Aff., Exhibit 2**

11. Petitioner submitted his voluntary resignation by letter of November 3, 1997. **Charest Aff., Exhibit 1**

12. The Agreement was approved by the Office of State Personnel. **Totten Aff., ¶7 and Exhibit 3**

13. As of December 30, 1997, the University's Employment Department had referred Petitioner's application for 65 research-related positions within UNC-CH which appeared to satisfy the requirements for retaining Petitioner's H-1B status. **Charest Aff., ¶7**

14. However, Petitioner's H-1B status expired as of December 31, 1997, the effective date of his resignation, because as of that date he had not secured other employment of the type permitted by his H-1B petition. As a result, Petitioner must by requirement of law leave the United States until such time as he can obtain a new H-1B status for whatever future employment he might secure in this country. **Locke Aff., ¶7**

15. When Petitioner decided to voluntarily terminate his employment at the Comprehensive Cancer Center, he was fully informed of the effect that resignation would have on his H-1B status and his ability to remain in the United States. **Locke Aff., ¶6-8** Petitioner was informed that if he had not secured qualifying employment by December 31, 1997, UNC-CH would be without power to continue his H-1B status or prevent his having to leave the United States. **Locke Aff., ¶10**

16. Petitioner's participation in the mediation process and his consent to the terms of the Agreement were fully voluntary and with assistance of counsel throughout. He was free to discontinue the mediation process at any time, or to refuse to enter into the Agreement. **Totten Aff., ¶10**

17. Petitioner now attempts to appeal to the State Personnel Commission his voluntary resignation, which he calls a "discharge without just cause" and a "termination," and also appeals a "suspension without just cause," "layoff," and "failure to receive priority consideration" and "denial of employment, promotion, training, and transfer." Petitioner claims that he was "forced to sign an agreement without just cause" and that "officials in UNC-CH failed to take effective measures to prevent the crisis" (presumably his deportation). **Petition.**

CONCLUSIONS OF LAW

I. Petitioner's Discharge and Termination Claims

1. A state employee may file a contested case petition with the OAH and thereby pursue an appeal about any matter over which the State Personnel Commission has original subject matter jurisdiction. However, because the OAH's jurisdiction over appeals by employees is derivative from the Commission's jurisdiction, the OAH does not have subject matter jurisdiction to hear matters for which an appeal to the Commission is not specifically authorized in Chapter 126.

2. The right to appeal to an administrative agency is granted by statute, and compliance with statutory provisions is necessary to sustain the appeal. Lewis v. N.C. Dept. of Human Resources, 92 N.C. App. 737, 739, 375 S.E.2d 712 (1989). In Batten v. N.C. Dept. of Correction, 326 N.C. 338, 389 S.E.2d 35 (1990), overruled on other grounds, Empire Power Co. v. N.C. Dept. of Environment, Health & Natural Resources, 337 N.C. 569, 447 S.E.2d 168 (1994), the North Carolina Supreme Court held that "[t]he question of whether Petitioner's appeal was a 'contested case' arising under the State Personnel Act turns upon whether [she] has stated grounds recognized in that Act as meriting administrative review and appeal." 326 N.C. at 345 (emphasis added).

3. Any claim of Petitioner that he suffered "discharge" or "termination" from his employment without just cause is barred. Even if Petitioner actually had been discharged or terminated, he could not appeal the action to the State Personnel Commission because he failed to exhaust his employer's grievance procedure, as required by G. S. §§126-34 and 126-37(a) in order for OAH to have jurisdiction over his appeal.

4. As Respondent's affidavits and the Agreement indisputably establish, however, Petitioner voluntarily and with the advice of counsel resigned his employment. Accordingly, he is estopped from asserting that he was involuntarily discharged or terminated on any ground, including alleged unlawful discrimination or retaliation.

5. Moreover, any attempt of Petitioner to "appeal" his resignation or the settlement agreement itself, on the basis of either just cause or discrimination/retaliation, is barred on at least two statutory grounds.

6. First, appeal of a resignation, or a settlement agreement, is not specifically authorized by G.S. §126-34.1, or any other provision of the State Personnel Act, and therefore cannot be grounds for a contested case under Chapter 126. G.S. §126-34.1(e) (emphasis added).

7. Second, even if Petitioner could have appealed the settlement agreement containing his agreement to resign, the attempted appeal must be dismissed for failure to comply with the thirty-day mandatory limitations period prescribed by G.S. §126-38. Petitioner signed the Agreement on November 3, 1997, but did not file the present petition until December 22, 1997 -- almost two months later. Therefore, even if the attempted appeal were substantively viable, the claim must be dismissed as untimely. See, e.g., Knight v. Division of Medical Assistance, Department of Human Resources, -- N.C. App. -- (No. COA97-291, filed October 7, 1997) (dismissal is proper where petitioner failed to comply with statutory deadline for timely filing of his petition); Gummels v. North Carolina Dept. of Human Resources, 98 N.C. App. 675, 392 S.E.2d 113 (1990) (supporting mandatory dismissal of untimely appeals); Lewis v. North Carolina Dept. of Human Resources, 92 N.C. App. 737, 375 S.E.2d 713 (1989) (upholding dismissal of employee's appeal on grounds it was filed one day after the statutory deadline).

II. Petitioner's Suspension and Layoff Claims

8. Laurie T. Charest, Vice Chancellor for Human Resources, confirms that at no time during Petitioner's employment with UNC-CH was he suspended or laid off without pay. **Charest Aff., ¶8** Petitioner was placed on 30-day investigatory status with pay -- which is not a disciplinary action under the University's staff employee disciplinary policy -- as of September 5, 1997. **Charest Aff., & 8; Totten Aff., & 3** During that 30-day period he was in full pay status except for the period September 12, 1997 through September 30, 1997, when his F-1 work permission had expired and his H-1B visa was not yet effective. **Charest Aff., ¶9; Locke Aff., ¶9** UNC-CH was required by law to remove him from the payroll when he had no effective work permission. **Locke Aff., ¶9**

9. Even if it could be found that Petitioner had been from September 5, 1997 to October 5, 1997 or laid off without pay during the period from September 12, 1997 through September 30, 1997, his attempt to appeal such action on any ground must be dismissed for failure to file the petition within thirty days of notice of the alleged suspension or layoff. Petitioner knew that he was being placed on investigatory status as of September 5, 1997, and certainly knew that he was off the payroll for two weeks no later than September 30, 1997. Yet he did not file his petition until December 22, 1997.

10. Moreover, the period from September 5 to September 12, during which Petitioner was on full pay, could not be appealed, because the State Personnel Act provides that only suspensions without pay may be appealed on just cause grounds. G.S. §126-34.1(a).

11. As to the period of leave without pay from December 1, 1997 to December 31, 1997, Petitioner is estopped from claiming a suspension or layoff. As of December 1, Petitioner had exhausted all paid leave he had accrued. **Charest Aff., ¶10** Therefore, in the mediation negotiations, as an accommodation to allow Petitioner more time to seek other employment, UNC-CH agreed to allow him to remain on unpaid leave status through December 31, 1997. **Charest Aff., ¶10; Totten Aff., Exhibit 3, ¶4** As discussed and as is obvious from the Agreement itself, Petitioner agreed to this arrangement which was for his benefit.

12. Therefore, these claims, whether based on just cause or alleged discrimination/retaliation, must be dismissed. G.S. §126-34.1(e).

III. Petitioner's Remaining Claims

13. Between the date of the Agreement and December 22, 1997 (the date of filing the present petition), Petitioner's application was referred for 3 Research Technician I, 7 Research Technician II, 13 Research Technician III, 8 Lab Technician or Lab Research Specialist, and 3 Research Analyst positions. **Charest Aff., Exhibit 2**

14. To the extent Petitioner claims denial of promotion or transfer or failure to receive priority consideration with respect to any applications he made prior to the Agreement and for which he had notice of his nonselection before November 22, 1997, those claims are untimely under G.S. §126-38. As to the remainder of Petitioner's applications, there is no allegation with respect to any specific promotion or transfer which Petitioner claims to have lost in favor of a non-State employee or member of some "non-protected" group having allegedly inferior qualifications for that position.

15. Accordingly, all of the Petitioner's claims are subject to dismissal on jurisdictional grounds.

16. Because Petitioner's appeal has not been specifically authorized by G.S. §126-34.1, his appeal may not be grounds for a contested case under Chapter 126 and the petition must be dismissed. G.S. §126-34.1(e).

17. It is well established that State agencies may not be sued unless sovereign immunity has been waived. Guthrie v. State Ports Authority, 307 N.C. 522, 534, 229 S.E.2d 618 (1983). In enacting Chapter 126, the General Assembly waived the State's sovereign immunity to suit by State employees; however, this waiver is limited to those grounds for appeal specifically permitted by Chapter 126. Harding v. N.C. Dept. of Correction, 334 N.C. 414, 432 S.E.2d 298 (1993).

18. Waiver of sovereign immunity may not be lightly inferred, and State statutes waiving this immunity, being in derogation of the sovereign right to immunity, must be strictly construed. Guthrie v. State Ports Authority, 307 N.C. at 537-38. Since the legislature has waived UNC-CH's sovereign immunity from suit by its employees in administrative actions only to the extent permitted by Chapter 126, assumption of OAH jurisdiction over this petition, which as shown herein alleges no claim cognizable under Chapter 126, would violate UNC-CH's sovereign immunity and is therefore barred.

Therefore, based upon the foregoing application of the law to the pleadings and exhibits filed in this contested case petition, the undersigned makes the following:

RECOMMENDED DECISION

IT IS, THEREFORE, recommended that summary judgment under G.S. §1A-1, N.C. R. Civ.P. Rule 56 [applicable to contested cases under 26 NCAC 3.0101(1)], be entered in favor of Respondent because there is no genuine issue as to any material fact and, as a matter of law, the Petitioner is not entitled to relief and the petition should be dismissed.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, PO Drawer 27447, Raleigh, NC 27611-7447, in accordance with G.S. §150B-36(b).

NOTICE

The final decision in this contested case shall be made by the State Personnel Commission. Each party shall have the right to file exceptions to the recommended decision and to present written arguments on the decision to the Commission. The Commission is required by G.S. §150B-36(b) to serve a copy of the final decision upon each party personally or by certified mail and to furnish a copy to each attorney of record and the Office of Administrative Hearings.

This the 3rd day of April, 1998.

Meg Scott Phipps
Administrative Law Judge

STATE OF NORTH CAROLINA COUNTY OF WAKE	IN THE OFFICE OF ADMINISTRATIVE HEARINGS 98 DOT 0445
TERRANCE E. MCENALLYH, III Petitioner, v. N.C. DIVISION OF MOTOR VEHICLES, Respondent.	FINAL DECISION DISMISSAL FOR LACK OF SUBJECT MATTER JURISDICTION

This cause was heard by the undersigned Senior Administrative Law Judge in Raleigh, North Carolina on April 3, 1998, on a petition of the Petitioner for a temporary restraining order against Respondent.

APPEARANCES

Petitioner: Terrance E. McEnally, III
5 West Hargett Street, # 704
Raleigh, NC 27601
Pro Se

Respondent: C. Norman Young, Jr.
Assistant Attorney General
N.C. Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602

Jeffrey R. Edwards
Associate Attorney General
N.C. Department of Justice
Post Office Box 629
Raleigh, North Carolina 27602

Upon consideration of the filings and arguments of counsel, the Court determines that Petitioner's petition for a temporary restraining order should be denied, and the Court determines on its own motion that the underlying Petition For Contested Case should be dismissed as a matter of law. In support thereof, the Court makes the following:

FINDINGS OF FACT

1. Petitioner filed his petition in this contested case on April 2, 1998. Petitioner alleged that he had been unlawfully denied access to accident records maintained by Respondent due to Respondent's unlawful implementation of G.S. §20-43.1 by failing to comply with the rule making provisions of Chapter 150B.

2. Petitioner is an attorney in private practice who specializes in personal injury cases arising from automobile accidents. For over two years he has reviewed accident reports submitted to the Respondent for the purpose of developing mailing lists to solicit potential clients.

3. On March 24, 1997, Petitioner was notified by Respondent that he would no longer be allowed to search these reports. This action was taken by Respondent on the advice of the Attorney General. Thereafter, Petitioner filed the Petition for Contested Case which is the subject of this action, and sought a temporary injunction enjoining Respondent from denying him access to these reports.

4. In October, 1994, Congress enacted the Driver Privacy Protection Act (18 USC §2721 *et seq.*). This Act was adopted by reference by our Legislature in 1997 and codified as G.S. §20-43.1.

5. Petitioner contends that respondent violated State law in the implementation of G.S. §20-42.1, in that it interpreted the statute to determine that the personal information on the accident reports were protected by the D.P.P.A. He contends that in so doing,

Respondent engaged in rule making as defined by G.S. §150B-2(8a).

6. The jurisdiction of OAH to hear contested cases is set forth in Chapter 150B of the North Carolina General Statutes. Specifically, jurisdiction to hear contested cases arising out of the Department of Transportation is limited by G.S. §150B-1(e)(8), which exempts the Department from the contested case provisions of this Chapter except as provided in G.S. §136-29.

7. Petitioner contends that this Court has jurisdiction over Respondent because Respondent is a separate and distinct agency from the Department of Transportation.

8. The undersigned received no evidence on, and makes no findings regarding, the merits of Petitioner's fundamental claim.

Based on the foregoing Findings of Fact, the undersigned makes the following:

CONCLUSIONS OF LAW

1. The subject matter jurisdiction of OAH to hear contested cases between aggrieved persons and an agency is specifically delineated in G.S. §150B-1. Under this statute, OAH lacks subject matter jurisdiction to hear a contested case of this nature arising out of a dispute with the Department of Transportation, since it is not pursuant to G.S. §136-29.

2. Contrary to Petitioner's assertion, the Court concludes as a matter of law that the respondent agency is a sub-unit of the Department of Transportation, and that subject matter jurisdiction does not exist to hear Petitioner's contested case. The Court further concludes that it has no jurisdiction over the entry of a restraining order.

FINAL DECISION

Petitioner's Petition for Contested Case is dismissed due to lack of subject matter jurisdiction, and his petition for temporary restraining order is denied.

This is a Final Decision under the authority of G.S. § 150B-36(c).

NOTICE

In order to appeal a Final Decision, a person seeking review must file a petition in the Superior Court of Wake County, or in the Superior Court of the county where the person resides. The petition for Judicial Review must be filed within thirty (30) days after the person is served with a copy of the Final Decision. G.S. §150B-46 describes the contents of the Petition and requires service of the Petition on all parties.

This the 16th day of April, 1998.

Fred G. Morrison Jr.
Senior Administrative Law Judge

The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.

TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

TITLE	DEPARTMENT	LICENSING BOARDS	CHAPTER
1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
6	Council of State	Certified Public Accountant Examiners	8
7	Cultural Resources	Chiropractic Examiners	10
8	Elections	Employee Assistance Professionals	11
9	Governor	General Contractors	12
10	Health and Human Services	Cosmetic Art Examiners	14
11	Insurance	Dental Examiners	16
12	Justice	Dietetics Nutrition	17
13	Labor	Electrical Contractors	18
14A	Crime Control & Public Safety	Electrolysis	19
15A	Environment and Natural	Foresters	20
	Resources	Geologists	21
16	Public Education	Hearing Aid Dealers and Fitters	22
17	Revenue	Landscape Architects	26
18	Secretary of State	Landscape Contractors	28
19A	Transportation	Marital and Family Therapy	31
20	Treasurer	Medical Examiners	32
*21	Occupational Licensing Boards	Midwifery Joint Committee	33
22	Administrative Procedures	Mortuary Science	34
23	Community Colleges	Nursing	36
24	Independent Agencies	Nursing Home Administrators	37
25	State Personnel	Occupational Therapists	38
26	Administrative Hearings	Opticians	40
27	NC State Bar	Optometry	42
		Osteopathic Examination & Reg. (Repealed)	44
		Pastoral Counselors, Fee-Based Practicing	45
		Pharmacy	46
		Physical Therapy Examiners	48
		Plumbing, Heating & Fire Sprinkler Contractors	50
		Podiatry Examiners	52
		Professional Counselors	53
		Psychology Board	54
		Professional Engineers & Land Surveyors	56
		Real Estate Appraisal Board	57
		Real Estate Commission	58
		Refrigeration Examiners	60
		Sanitarian Examiners	62
		Social Work Certification	63
		Soil Scientists	69
		Speech & Language Pathologists & Audiologists	64
		Substance Abuse Professionals	68
		Therapeutic Recreation Certification	65
		Veterinary Medical Board	66

Note: Title 21 contains the chapters of the various occupational licensing boards.

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This index provides information related to notices, rules and other documents published in the Register. It includes information about rules for which Notice of Rule-Making Proceedings or Notice of Text have been published, rules submitted to the Rules Review Commission and rules codified since the last session of the General Assembly. For assistance contact the Rules Division at 919/733-2678.

Fiscal Note: S = Rule affects the expenditure or distribution of state funds. L = Rule affects the expenditure or distribution of local government funds. SE = Rule has a substantial economic impact of at least $5,000,000 in a 12-month period. * = Rule-making agency has determined that the rule does not impact state or local funds and does not have a substantial economic impact. See G.S. 150B-21.4.

ADMINISTRATION

Purchase and Contract Division

1 NCAC 05B .0301	12:17 NCR 1611							
1 NCAC 05B .0302	12:17 NCR 1611							
1 NCAC 05B .0310	12:17 NCR 1611							
1 NCAC 05B .0316	12:17 NCR 1611							
1 NCAC 05B .0401	12:17 NCR 1611							
1 NCAC 05B .0801	12:17 NCR 1611							
1 NCAC 05B .0802	12:17 NCR 1611							
1 NCAC 05B .1301	12:17 NCR 1611							
1 NCAC 05B .1519	12:17 NCR 1611							
1 NCAC 05B .1604	12:17 NCR 1611							
1 NCAC 05B .1906	12:17 NCR 1611							

State Building Commission

1 NCAC 30G .0101	11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97			11:26 NCR 2004
1 NCAC 30G .0102	11:04 NCR 194	11:19 NCR 1414	*	Object	03/20/97			
				Approve	05/15/97	*		11:30 NCR 2314
1 NCAC 30G .0103	11:04 NCR 194	11:19 NCR 1414	*	Approve	03/20/97	*		11:26 NCR 2004
1 NCAC 30G .0104	11:04 NCR 194	11:19 NCR 1414	S/L	Object	03/20/97			
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1 NCAC 30G .0105	11:04 NCR 194	11:19 NCR 1414	S/L	Approve	03/20/97			11:26 NCR 2004

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26 NCAC 04 .0101	12:12 NCR 1071	12:16 NCR 1508	*					
26 NCAC 04 .0201	12:12 NCR 1071	12:16 NCR 1508	*					

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26 NCAC 04 .0202		12:12 NCR 1071	12:16 NCR 1508	*						
26 NCAC 04 .0203		12:12 NCR 1071	12:16 NCR 1508	*						
26 NCAC 04 .0204		12:12 NCR 1071	12:16 NCR 1508	*						
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26 NCAC 03 .0122	12:08 NCR 621		12:13 NCR 1172	S	Approve	03/19/98				
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2 NCAC 48A .0206	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96				
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2 NCAC 48A .0211	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96				
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2 NCAC 48A .0214	10:24 NCR 3056		11:06 NCR 324	*	Ext. Review	12/19/96				
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2 NCAC 48D .0103	N/A	N/A	N/A		Approve	12/18/97			12:17 NCR 1620	
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2 NCAC 52A .0105	11:27 NCR 2053		12:03 NCR 169	*	Approve	12/18/97			12:17 NCR 1620	
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2 NCAC 52B .0303	11:14 NCR 1107		11:22 NCR 1709	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 52C .0701	11:14 NCR 1107		11:22 NCR 1709	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 52D .0101	11:27 NCR 2053		12:03 NCR 169	*	Approve	12/18/97	*		12:17 NCR 1620	
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2 NCAC 43F .0103	11:14 NCR 1107		11:22 NCR 1706	*	Object	05/15/97				
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2 NCAC 43H .0101	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43H .0107	11:14 NCR 1107		11:22 NCR 1706	*	Object	05/15/97				
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2 NCAC 43L .0202	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	

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2 NCAC 43L .0402	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43L .0403	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97			11:30 NCR 2314	
2 NCAC 43L .0405	11:14 NCR 1107		11:22 NCR 1706	*	Approve	05/15/97	*		11:30 NCR 2314	
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2 NCAC 48F .0301	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97			11:26 NCR 2004	
2 NCAC 48F .0302	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97			11:26 NCR 2004	
2 NCAC 48F .0304	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*		11:26 NCR 2004	
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2 NCAC 48F .0306	11:07 NCR 407		11:11 NCR 883	*	Approve	03/20/97	*		11:26 NCR 2004	
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2 NCAC 34 .0312	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0313	12:09 NCR 743		12:14 NCR 1234	S/L						Addendum 12:15 NCR 1419
2 NCAC 34 .0323	12:09 NCR 743		12:14 NCR 1234	*						
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2 NCAC 34 .0404	12:09 NCR 743		12:14 NCR 1234	*						
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2 NCAC 34 .0501	12:09 NCR 743		12:14 NCR 1234	*						

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2 NCAC 34 .0502	12:09 NCR 743		12:14 NCR 1234	*						
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2 NCAC 34 .0503	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0504	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0505	12:09 NCR 743		12:14 NCR 1234	*						
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2 NCAC 34 .0601	12:09 NCR 743									
2 NCAC 34 .0602		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0602	12:09 NCR 743		12:14 NCR 1234	*						
2 NCAC 34 .0604		11:21 NCR 1651	12:06 NCR 455	*						
2 NCAC 34 .0604	12:09 NCR 743		12:14 NCR 1234	*						
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21 NCAC 02 .0213	12:04 NCR 244		12:09 NCR 795	*						
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21 NCAC 02 .0904	12:04 NCR 244		12:09 NCR 795	S/L/SE	**Object**	**03/19/98**				
21 NCAC 02 .0905	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0906	12:04 NCR 244		12:09 NCR 795	S/L/SE	**Object**	**03/19/98**				
21 NCAC 02 .0907	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0908	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0909	12:04 NCR 244		12:09 NCR 795	S/L/SE						
21 NCAC 02 .0910	12:04 NCR 244		12:09 NCR 795	S/L/SE						
ATHLETIC TRAINER EXAMINERS, BOARD OF										
21 NCAC 03 .0101		12:18 NCR 1714								
21 NCAC 03 .0102		12:18 NCR 1714								
21 NCAC 03 .0103		12:18 NCR 1714								
21 NCAC 03 .0201		12:18 NCR 1714								
21 NCAC 03 .0301		12:18 NCR 1714								
21 NCAC 03 .0302		12:18 NCR 1714								
21 NCAC 03 .0303		12:18 NCR 1714								
21 NCAC 03 .0304		12:18 NCR 1714								
21 NCAC 03 .0401		12:18 NCR 1714								
ATHLETIC TRAINER EXAMINERS/MEDICAL BOARD COMMITTEE										
21 NCAC 03 .0501		12:18 NCR 1714								
AUCTIONEERS LICENSING BOARD										
21 NCAC 04B .0202	11:18 NCR 1368		11:28 NCR 2129	*	Approve	11/20/97	*		12:16 NCR 1521	
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS										
21 NCAC 08A .0301	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08A .0309	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08F .0103	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08F .0105	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08F .0302	12:08 NCR 619		12:13 NCR 1138	*						

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21 NCAC 08F .0304	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08F .0401	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08F .0410	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08G .0404	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08G .0406	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08H .0001	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08I .0004	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08I .0005	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08J .0001	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08J .0005	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08J .0006	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08J .0008	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08J .0010	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08K .0301	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08M .0101	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08M .0102	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08M .0201	12:08 NCR 619		12:13 NCR 1138	*						
21 NCAC 08M .0204	12:08 NCR 619		12:13 NCR 1138	*						
COMMERCE										
4 NCAC 01E	11:09 NCR 569									
4 NCAC 01F	11:09 NCR 569									
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I	11:09 NCR 569									
4 NCAC 01J	11:09 NCR 569									
4 NCAC 01K	11:09 NCR 569									
Community Assistance										
4 NCAC 01K .0501	11:09 NCR 569									
4 NCAC 01K .0502	11:09 NCR 569									

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					Action	Date				
4 NCAC 01K .0503	11:09 NCR 569									
4 NCAC 01K .0504	11:09 NCR 569									
4 NCAC 01K .0505	11:09 NCR 569									
4 NCAC 01K .0506	11:09 NCR 569									
4 NCAC 19L .0401	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .0403	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0404	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .0407	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97			12:16 NCR 1521	
4 NCAC 19L .0501	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0502	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0505	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .0706	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0707	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .0708	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .0802	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97			12:16 NCR 1521	
4 NCAC 19L .0805	11:09 NCR 569									
4 NCAC 19L .0901	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0906	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .0907	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97			12:16 NCR 1521	
4 NCAC 19L .0911	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1002	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1004	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1009	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1011	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1301	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1302	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	

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					Action	Date				
4 NCAC 19L .1303	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1701	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1702	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1703	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1801	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1802	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1803	11:09 NCR 569		11:14 NCR 1113	*	Approve	11/20/97	*		12:16 NCR 1521	
4 NCAC 19L .1804	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1805	11:09 NCR 569		11:14 NCR 1113	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
4 NCAC 19L .1900	11:09 NCR 569									
Credit Union Division										
4 NCAC 06C .0205	10:18 NCR 2398		11:29 NCR 2182	*	Approve	08/21/97			12:07 NCR 561	
4 NCAC 06C .0407	10:18 NCR 2398		11:29 NCR 2182	*	Object	08/21/97				
					Approve	09/18/97	*		12:10 NCR 878	
4 NCAC 06C .0409	10:18 NCR 2398		11:29 NCR 2182	*	Approve	08/21/97			12:07 NCR 561	
State Ports Authority										
4 NCAC 13A .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0102	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0105	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0202	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0203	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13A .0204	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0001	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0002	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0003	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0004	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13B .0005	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13C .0001	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	

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4 NCAC 13D .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0101	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0102	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0103	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0201	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0202	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0301	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0302	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0401	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0402	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0403	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0404	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0405	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0501	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0502	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0601	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0602	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0603	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0701	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0702	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0801	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0803	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0901	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13E .0902	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13F .0301	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
4 NCAC 13F .0302	10:24 NCR 3056		11:13 NCR 1040	*	Approve	06/19/97			12:03 NCR 213	
COMMUNITY COLLEGES										
23 NCAC 01A .0001	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Object Approve	01/15/98 02/19/98	 *			

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23 NCAC 02C .0108	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02C .0202	11:18 NCR 1369		12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02C .0207	11:18 NCR 1369		12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02C .0305	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02C .0604	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02C .0701	11:18 NCR 1369		12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02D .0103	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02D .0201	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98	*		12:21 NCR 1886	
23 NCAC 02D .0202	11:17 NCR 1336									
23 NCAC 02D .0202	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98	*		12:21 NCR 1886	
23 NCAC 02D .0203	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98	*		12:21 NCR 1886	
23 NCAC 02D .0301	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Object Approve	01/15/98 02/19/98	 *			
23 NCAC 02D .0323	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02D .0324	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02D .0327	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Object Approve	01/15/98 02/19/98	 *			
23 NCAC 02E .0101	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0102	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0201	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0203	10:24 NCR 3058		11:09 NCR 585	*	Object Approve	01/16/97 02/20/97	 *		 11:24 NCR 1832	
23 NCAC 02E .0203	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0204	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0205	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98	*		12:21 NCR 1886	
23 NCAC 02E .0501	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
23 NCAC 02E .0604	11:18 NCR 1369	11:25 NCR 1919	12:09 NCR 802	*	Approve	01/15/98			12:21 NCR 1886	
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14B .0605	12:06 NCR 925		12:11 NCR 925	*	Approve	03/19/98	*			

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21 NCAC 14G .0103	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14G .0107	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14G .0113	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14H .0105	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
21 NCAC 14H .0113	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14H .0118	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14H .0119	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14I .0104	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14I .0105	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14I .0107	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14I .0109	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14I .0401	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0102	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0103	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14J .0104	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14J .0202	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14J .0204	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0205	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0206	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0207	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0303	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0306	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0307	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0401	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0402	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0403	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14J .0404	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				

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21 NCAC 14J .0501	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
21 NCAC 14K .0101	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14K .0103	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
21 NCAC 14L .0101	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14L .0105	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14L .0108	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14L .0214	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98	*			
21 NCAC 14N .0102	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
21 NCAC 14N .0103	12:06 NCR 453		12:11 NCR 925	*						
21 NCAC 14N .0104	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14N .0105	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14N .0107	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
21 NCAC 14N .0108	12:06 NCR 453		12:11 NCR 925	*	Approve	03/19/98				
21 NCAC 14N .0113	12:06 NCR 453		12:11 NCR 925	*	**Object**	**03/19/98**				
CRIME CONTROL & PUBLIC SAFETY										
Governor's Crime Commission										
14A NCAC 07 .0313	11:24 NCR 1818		12:01 NCR 6	*						
CULTURAL RESOURCES										
North Carolina Historical Commission										
7 NCAC 04R .0909	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0910	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0911	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0912	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0913	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0914	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
7 NCAC 04R .0915	12:06 NCR 444	12:13 NCR 1174	12:13 NCR 1174	S	**Object**	**03/19/98**				
USS North Carolina Battleship Commission										
7 NCAC 05 .0203		11:19 NCR 1436 Temp Expired								

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					Action	Date				
		12:16 NCR 1511	12:16 NCR 1511	S/L						
DENTAL EXAMINERS										
21 NCAC 16B .0303	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16I .0001	11:20 NCR 1538		11:25 NCR 1915	*	Object	09/18/97				
					Approve	10/16/97	*		12:11 NCR 947	
21 NCAC 16I .0002	11:20 NCR 1538		11:25 NCR 1915	*	Extended review	09/18/97				
					Approve	11/20/97	*		12:16 NCR 1521	
21 NCAC 16I .0003	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16I .0004	11:20 NCR 1538									
21 NCAC 16I .0005	11:20 NCR 1538									
21 NCAC 16I .0006	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16M .0001	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16M .0003	11:20 NCR 1538		11:25 NCR 1915	*	Object	09/18/97				
					Approve	10/16/97	*		12:11 NCR 947	
21 NCAC 16R .0001	11:20 NCR 1538		11:25 NCR 1915	*	Extended review	09/18/97				
					Approve	11/20/97	*		12:16 NCR 1521	
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0004	11:20 NCR 1538		11:25 NCR 1915	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16V .0101	10:16 NCR 2043		11:20 NCR 1556	*	Approve	03/19/98	*			Notice Subject Matter
21 NCAC 16V .0102	10:16 NCR 2043		11:20 NCR 1556	*	Approve	03/19/98	*			Notice Subject Matter
EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF										
21 NCAC 11 .0101	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0102	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0103	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0104	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0105	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0106	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0107	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0108	12:19 NCR 1764	12:21 NCR 1884		S/L						

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					Action	Date				
21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884		S/L						
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884		S/L						
ENVIRONMENT AND NATURAL RESOURCES										
Notice of Intent to Redevelop a Brownfields Property										12:10 NCR 864
15A Public Notice - Division of Water Quality										12:03 NCR 112
15A Administrative Order on Consent - Division of Waste Management										12:03 NCR 158
15A NCAC 01J .0401	12:08 NCR 614	12:09 NCR 833	12:14 NCR 1266	*						
15A NCAC 01J .0402	12:08 NCR 614	12:09 NCR 833	12:14 NCR 1266	*						
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01M .0101		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0102		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0201		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0202		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0301		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0302		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0303		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0304		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0305		11:19 NCR 1439	Temp Expired							
15A NCAC 01M .0306		11:19 NCR 1439	Temp Expired							
15A NCAC 01N .0101	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0102	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0103	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0201	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0202	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0203	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0301	12:08 NCR 614	12:16 NCR 1511								

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15A NCAC 01N .0302	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0303	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0304	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0401	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0402	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0403	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0501	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0502	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0503	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0601	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0602	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0603	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0604	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0605	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0606	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0701	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0702	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0703	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0704	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0705	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0801	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0802	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0901	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01N .0902	12:08 NCR 614	12:16 NCR 1511								
15A NCAC 01O .0101	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0102	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0103	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0104	12:16 NCR 1482	12:17 NCR 1617								

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					Action	Date				
15A NCAC 01O .0105	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0106	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0107	12.16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0108	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 01O .0109	12:16 NCR 1482	12:17 NCR 1617								
15A NCAC 12B .0901		12:03 NCR 209								
15A NCAC 19C .0206		12:15 NCR 1451								
15A NCAC 19G .0102	12:02 NCR 52	12:03 NCR 209	12:14 NCR 1266	S/L	Approve	03/19/98				
Coastal Resources Commission										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0106	11:19 NCR 1408		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
15A NCAC 07H .0201	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98				
15A NCAC 07H .0202	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98				
15A NCAC 07H .0203	11:22 NCR 1704		agency withdrew							
15A NCAC 07H .0204	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Budget	01/15/98				
					Approve	02/19/98				
15A NCAC 07H .0205	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
15A NCAC 07H .0206	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
15A NCAC 07H .0207	11:22 NCR 1704		agency withdrew							
15A NCAC 07H .0208	11:22 NCR 1704		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
15A NCAC 07H .0208	11:04 NCR 183		11:11 NCR 907	*	Object	08/21/97				
					Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						

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					Action	Date				
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873									
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0304	11:15 NCR 1200	11:15 NCR 1226 Temp Expired 12:08 NCR 726	11:27 NCR 2069	S	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 07H .0305	11:15 NCR 1200	11:15 NCR 1226 Temp Expired 12:08 NCR 726	11:27 NCR 2069	S	Approve	10/16/97			12:11 NCR 947	
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07H .0308	12:16 NCR 1489									
15A NCAC 07H .0309	11:08 NCR 442		11:12 NCR 981	*	Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 07H .0310	12:11 NCR 919		12:20 NCR 1828	S						
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1104	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .1200	12:21 NCR 1873									
15A NCAC 07H .1202	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1204	11:04 NCR 183		11:11 NCR 907	*	Object Approve	08/21/97 09/18/97	*		12:10 NCR 878	
15A NCAC 07H .1205	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07H .1300	12:21 NCR 1873									
15A NCAC 07H .1304	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1404	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1504	11:04 NCR 183		11:11 NCR 907	*	Object Object Approve	11/20/97 12/18/97 01/15/98	*		12:21 NCR 1886	

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					Action	Date				
15A NCAC 07H .1600	12:21 NCR 1873									
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1601	11:15 NCR 1200		11:27 NCR 2071	*						
15A NCAC 07H .1604	11:15 NCR 1200		11:27 NCR 2071	*						
15A NCAC 07H .1605	11:15 NCR 1200		11:27 NCR 2071	*						
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1704	11:04 NCR 183		11:11 NCR 907	*	Object	11/20/97				
					Object	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .1705	12:16 NCR 1489									
15A NCAC 07H .1804	11:04 NCR 183		11:11 NCR 907	*	Object	11/20/97				
					Object	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .1904	11:04 NCR 183		11:11 NCR 907	*	Object	11/20/97				
					Object	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .2004	11:04 NCR 183		11:11 NCR 907	*	Object	11/20/97				
					Object	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 07H .2104	11:04 NCR 183		11:11 NCR 907	*	Object	11/20/97				
					Object	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 07K .0203	11:04 NCR 183		11:11 NCR 907	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 07K .0203	12:21 NCR 1873									
15A NCAC 07K .0208	12:21 NCR 1873									
15A NCAC 07L .0202	12:21 NCR 1874									
15A NCAC 07L .0203	12:21 NCR 1874									
15A NCAC 07L .0206	12:21 NCR 1874									
15A NCAC 07L .0302	12:21 NCR 1874									
15A NCAC 07L .0304	12:21 NCR 1874									
15A NCAC 07L .0401	12:21 NCR 1874									
15A NCAC 07L .0405	12:21 NCR 1874									
15A NCAC 07M .0301	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97	*		12:16 NCR 1521	

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					Action	Date				
15A NCAC 07M .0302	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0303	10:16B NCR 1921		11:11 NCR 907	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
15A NCAC 07M .0304	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0305	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0306	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 07M .0307	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0308	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97			12:16 NCR 1521	
15A NCAC 07M .0309	10:16B NCR 1921		11:11 NCR 907	*	Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 07M .0401	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0402	10:18 NCR 2317		11:11 NCR 931	*	Approve	01/16/97	*			
15A NCAC 07M .0403	10:18 NCR 2317		11:11 NCR 931	*	Object	01/16/97				
					Approve	02/20/97	*		11:24 NCR 1832	
15A NCAC 07M .1201	11:19 NCR 1408		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
15A NCAC 07M .1202	11:19 NCR 1408		11:27 NCR 2058	*	State Budget	12/18/97				
					Extend Review	01/15/98				
					Approve	02/19/98	*			
Environmental Management Commission										
NPDES Permits										12:13 NCR 1093
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:02 NCR 75		12:06 NCR 462	S/L/SE	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0224	10:18 NCR 2400		11:12 NCR 973	*	Approve	02/19/98	*			
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	11:24 NCR 1818		11:30 NCR 2303	*						

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					Action	Date				
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0232	11:02 NCR 75		11:10 NCR 824	L	Object Approve	01/15/98 02/19/98	 *			
			11:14 NCR 1136 12:06 NCR 462	 S/L/SE						
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824	L	Object Approve	01/15/98 02/19/98	 *			
		12:02 NCR 77 12:14 NCR 1348 12:20 NCR 1836	11:14 NCR 1136	L						
			12:06 NCR 462	S/L/SE						
15A NCAC 02B .0234	11:02 NCR 75	12:14 NCR 1348	11:10 NCR 824	*	Object Approve	01/15/98 02/19/98	 *			
			11:14 NCR 1136 12:06 NCR 462	 S/L/SE						
15A NCAC 02B .0235	11:02 NCR 75		11:10 NCR 824	*	Object Approve	01/15/98 02/19/98	 *			
			11:14 NCR 1136 12:06 NCR 462	 S/L/SE						
15A NCAC 02B .0236	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136 12:06 NCR 462	L S/L/SE	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0238	11:02 NCR 75		12:06 NCR 462	S/L/SE	Object Approve	01/15/98 02/19/98	 *			
15A NCAC 02B .0239	11:02 NCR 75		12:06 NCR 462	S/L/SE	Object Approve	01/15/98 02/19/98	 *			
15A NCAC 02B .0240	11:02 NCR 75		12:06 NCR 462	S/L/SE	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0303	10:18 NCR 2400		11:12 NCR 973	*	Approve	02/19/98	*			
15A NCAC 02B .0304	11:24 NCR 1818		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0304	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	S	Approve	02/19/98	*			
15A NCAC 02B .0305	11:20 NCR 1534		12:05 NCR 414	*	Approve	03/19/98	*			
15A NCAC 02B .0306	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Extend Com.. Period 12:13 NCR 1095
15A NCAC 02B .0307	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0308	11:20 NCR 1534		11:28 NCR 2121	*	Approve	02/19/98	*			

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					Action	Date				
15A NCAC 02B .0308	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve Approve	01/15/98 03/19/98	* *		12:21 NCR 1886	Extend Com. Period 12:13 NCR 1095
15A NCAC 02B .0308	12:12 NCR 993		12:21 NCR 1879	*						
15A NCAC 02B .0308	12:14 NCR 1233		12:19 NCR 1769	*						
15A NCAC 02B .0308	12:16 NCR 1489									
15A NCAC 02B .0309	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0309	12:14 NCR 1233		12:19 NCR 1769	*						
15A NCAC 02B .0311	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02B .0311	12:10 NCR 865		12:20 NCR 1825	*						
15A NCAC 02B .0313	11:24 NCR 1818		12:05 NCR 416	*	Approve	02/19/98	*			
15A NCAC 02B .0313	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	03/19/98	*			Extend Com. Period 12:13 NCR 1095
15A NCAC 02B .0313	12:10 NCR 865		12:20 NCR 1825	*						
15A NCAC 02B .0315	11:24 NCR 1818		12:07 NCR 515	L	Approve	03/19/98	*			
15A NCAC 02B .0316	11:20 NCR 1534									
15A NCAC 02B .0316	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Extend Com. Period 12:13 NCR 1095
15A NCAC 02B .0317	11:26 NCR 1976 11:26 NCR 1984		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .0101	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0104	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .0105	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0202	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .0302	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0405	12:16 NCR 1482									
15A NCAC 02D .0409	12:16 NCR 1482									

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					Action	Date				
15A NCAC 02D .0410	12:16 NCR 1482									
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0506	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0507	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0508	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0509	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0510	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0511	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0513	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0514	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0515	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0521	11.04 NCR 183		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0531	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .0535	10:18 NCR 2317		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .0540	10:18 NCR 2318		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0601	10:18 NCR 2318									
15A NCAC 02D .0602	10:18 NCR 2318									
15A NCAC 02D .0604	10:18 NCR 2318									
15A NCAC 02D .0605	10:18 NCR 2318									
15A NCAC 02D .0606	10:18 NCR 2318									
15A NCAC 02D .0607	10:18 NCR 2318									
15A NCAC 02D .0608	10:18 NCR 2318									

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					Action	Date				
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	11:15 NCR 1200									
15A NCAC 02D .0613	11:15 NCR 1200									
15A NCAC 02D .0614	11:15 NCR 1200									
15A NCAC 02D .0615	11:15 NCR 1200									
15A NCAC 02D .0806	11:26 NCR 1976									
15A NCAC 02D .0902	11:19 NCR 1408									
15A NCAC 02D .0903	11:15 NCR 1200									
15A NCAC 02D .0909	11:19 NCR 1408									
15A NCAC 02D .0912	11:15 NCR 1200									
15A NCAC 02D .0914	11:15 NCR 1200		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0917	11:19 NCR 1408									
15A NCAC 02D .0918	11:19 NCR 1408									
15A NCAC 02D .0919	11:19 NCR 1408									
15A NCAC 02D .0920	11:19 NCR 1408									
15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0927	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .0927	10:24 NCR 3045		12:10 NCR 867	*	Approve	03/19/98	*			
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0938	12:02 NCR 52		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0948	11:19 NCR 1408									
15A NCAC 02D .0949	11:19 NCR 1408									
15A NCAC 02D .0950	11:19 NCR 1408									
15A NCAC 02D .0951	11:19 NCR 1408									

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					Action	Date				
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0953	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .0953	11:26 NCR 1976		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1005	11:15 NCR 1200		12:04 NCR 270	*	Object Approve	01/15/98 02/19/98	 *			
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1102	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1103	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1104	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1104	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1107	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1109	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98				
15A NCAC 02D .1112	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98	*			
15A NCAC 02D .1200	12:16 NCR 1482									
15A NCAC 02D .1201	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1201	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02D .1202	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1203	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1204	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1204	11:04 NCR 183		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1204	10:18 NCR 2318									
15A NCAC 02D .1204	12:16 NCR 1482									
15A NCAC 02D .1205	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1205	10:18 NCR 2317		12:08 NCR 650	*						

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					Action	Date				
15A NCAC 02D .1206	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1206	11:04 NCR 183		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1207	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02D .1208	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 02D .1209	10:24 NCR 3045		11:16 NCR 1271	L/SE	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 02D .1305	11:04 NCR 183		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1404	11:15 NCR 1200									
15A NCAC 02D .1500	11:19 NCR 1408									
15A NCAC 02D .1500	12:20 NCR 1817									
15A NCAC 02D .1503	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1603	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1701	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1702	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1703	11:15 NCR 1200		12:04 NCR 270	L	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1704	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1705	11:15 NCR 1200		12:04 NCR 270	L	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1706	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1707	11:15 NCR 1200		12:04 NCR 270	L	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1708	11:15 NCR 1200		12:04 NCR 270	L	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .1709	11:15 NCR 1200		12:04 NCR 270	L	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .1710	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1700	12:02 NCR 52									
15A NCAC 02D .1902	11:19 NCR 1408		12:04 NCR 270	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 02D .1903	11:19 NCR 1408		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02D .1903	12:16 NCR 1482									
15A NCAC 02D .1904	12:16 NCR 1482									
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02H .0225	11:15 NCR 1200	11:15 NCR 1225	11:20 NCR 1550	*						
		11:27 NCR 2073	11:27 NCR 2073	*	Object	07/17/97				

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					Action	Date				
					Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 02H .0226	12:20 NCR 1817									
15A NCAC 02H .0610	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02H .0610	11:08 NCR 442									
15A NCAC 02H .0610	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L	11:15 NCR 1200 11:15 NCR 1204									
15A NCAC 02L .0106		10:19 NCR 2508 12:08 NCR 713	11:21 NCR 1639	*	Approve	12/18/97	*		12:17 NCR 1620	
15A NCAC 02L .0115	11:15 NCR 1200		11:21 NCR 1639	1.	Object	12/18/97				
					Approve	02/19/98	*			
	11:15 NCR 1204	12:08 NCR 713								
15A NCAC 02L .0202	10:20 NCR 2591									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02N .0701	11:15 NCR 1200	12:08 NCR 713	11:21 NCR 1639	*	Approve	12/18/97	*		12:17 NCR 1620	
15A NCAC 02N .0707	11:15 NCR 1204	12:08 NCR 713	11:21 NCR 1639	*	Object	12/18/97				
					Approve	02/19/98	*			
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P .0402	11:15 NCR 1204	10:19 NCR 2512 12:08 NCR 713	11:21 NCR 1639	*	Approve	12/18/97			12:17 NCR 1620	
15A NCAC 02Q .0101	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98				
15A NCAC 02Q .0102	10.18 NCR 2317		12.08 NCR 650	*						
15A NCAC 02Q .0102			11:06 NCR 350	*						
15A NCAC 02Q .0102	11:19 NCR 1408									
15A NCAC 02Q .0102	12:02 NCR 52									
15A NCAC 02Q .0102	12:16 NCR 1482									
15A NCAC 02Q .0103	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0103	12:16 NCR 1482									

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15A NCAC 02Q .0103	12:20 NCR 1817									
15A NCAC 02Q .0107	12:16 NCR 1482									
15A NCAC 02Q .0108	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0201	12:02 NCR 52		12:10 NCR 867	*	Approve	03/19/98				
15A NCAC 02Q .0207	11:19 NCR 1408		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0300	11:26 NCR 1976									
15A NCAC 02Q .0300	12:20 NCR 1817									
15A NCAC 02Q .0301	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0302	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98				
15A NCAC 02Q .0306	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98				
15A NCAC 02Q .0307	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0312	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98				
15A NCAC 02Q .0312	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0313	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0400	12:04 NCR 240									
15A NCAC 02Q .0500	12:20 NCR 1817									
15A NCAC 02Q .0501	10:18 NCR 2317		12:08 NCR 650	*						
15A NCAC 02Q .0521	11:15 NCR 1200		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0525	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0527	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0528	10:18 NCR 2317		12:08 NCR 650	*	Approve	03/19/98	*			
15A NCAC 02Q .0607	10:24 NCR 3045		11:16 NCR 1271	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 02Q .0700	11:08 NCR 442									
15A NCAC 02Q .0701	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0702	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0703	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0704	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0705	11:08 NCR 442		12:08 NCR 650	SE						

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					Action	Date				
15A NCAC 02Q .0706	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0707	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0708	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0709	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0710	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0711	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0712	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0713	11:08 NCR 442		12:08 NCR 650	SE						
15A NCAC 02Q .0801	12:02 NCR 52									
15A NCAC 02Q .0803	12:02 NCR 52									
15A NCAC 02Q .0805	10:18 NCR 2317		12:04 NCR 270	S	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0806	10:24 NCR 3045		12:04 NCR 270	S	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0807	10:24 NCR 3045		12:04 NCR 270	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 02Q .0808	12:16 NCR 1482									
15A NCAC 02R .0101	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0102	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0201	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0202	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0203	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0204	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0205	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0301	12:02 NCR 52		12:14 NCR 1267	*						
15A NCAC 02R .0302	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0401	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0402	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0403	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0501	12:02 NCR 52		12:14 NCR 1267	S						
15A NCAC 02R .0501		11:27 NCR 2075	12:08 NCR 650 12:14 NCR 1267	S *	Approve	02/19/98	*			

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					Action	Date				
15A NCAC 02R .0502		11:27 NCR 2075	12:08 NCR 650 12:14 NCR 1267	* *	Approve	02/19/98	*			
15A NCAC 02R .0503		11:27 NCR 2075	12:08 NCR 650 12:14 NCR 1267	* *	Approve	03/19/98	*			
15A NCAC 02R .0504		11:27 NCR 2075	12:08 NCR 650 12:14 NCR 1267	* *	Approve	02/19/98	*			
15A NCAC 02R .0600	12:02 NCR 52									
Health Services, Commission for										
15A NCAC 13A .0100	12:02 NCR 52									
15A NCAC 13A .0101	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0101	N/A		N/A		Approve	07/17/97			12:04 NCR 317	
15A NCAC 13A .0105	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0107	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0109	12:07 NCR 509									
15A NCAC 13A .0110	12:07 NCR 509									
15A NCAC 13A .0111	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0111	12:07 NCR 509									
15A NCAC 13A .0112	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13A .0119	11:16 NCR 1269		11:20 NCR 1552	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 13B .1301		12:12 NCR 1064								
15A NCAC 13B .1624	11:19 NCR 1764									
15A NCAC 13B .1627	11:08 NCR 442		11:13 NCR 1055	*						
15A NCAC 13B .1800	11:08 NCR 442									
15A NCAC 13B .1800	11:26 NCR 1976									
15A NCAC 18A	11:04 NCR 183									
15A NCAC 18A .0134	11:08 NCR 442		11:12 NCR 987	*	Object Approve	12/19/96 01/16/97	 *		 11:22 NCR 1717	
15A NCAC 18A .0168	11:08 NCR 442		11:12 NCR 987	*	Object Approve	12/19/96 01/16/97	 *		 11:22 NCR 1717	
15A NCAC 18A .0176	11:08 NCR 442		11:12 NCR 987	*	Object Approve	12/19/96 01/16/97			 11:22 NCR 1717	
15A NCAC 18A .0182	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				

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					Action	Date				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0183	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0185	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0187	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0421	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .0425		12:14 NCR 1352								
15A NCAC 18A .0432		12:14 NCR 1352								
15A NCAC 18A .0614	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0618	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0621	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .0901	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .1301	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
15A NCAC 18A .1319	11:08 NCR 442		11:12 NCR 987	*	Object	12/19/96				
					Approve	01/16/97			11:22 NCR 1717	
15A NCAC 18A .1601		12:21 NCR 1882								
15A NCAC 18A .1611		12:21 NCR 1882								
15A NCAC 18A .1720	12:16 NCR 1482	12:18 NCR 1713 12:21 NCR 1882								
15A NCAC 18A .1937	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 18A .1938	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 18A .1958	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 18A .1961	11:19 NCR 1408	11:20 NCR 1561	12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 18A .2301	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	01/15/98				
					Approve	02/19/98	*			
15A NCAC 18A .2302	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				

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					Action	Date				
					Object	01/15/98				
					Approve	02/19/98	*			
15A NCAC 18A .2303	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	01/15/98				
					Approve	02/19/98	*			
15A NCAC 18A .2304	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	01/15/98				
					Approve	02/19/98	*			
15A NCAC 18A .2305	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2306	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	01/15/98				
					Approve	02/19/98	*			
15A NCAC 18A .2307	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2308	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	**01/15/98**				
15A NCAC 18A .2309	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Object	**01/15/98**				
15A NCAC 18A .2310	12:03 NCR 168		12:07 NCR 519	*	Ext. Review	12/18/97				
					Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2508	12:08 NCR 614									
15A NCAC 18A .2513	12:08 NCR 614									
15A NCAC 18A .2515	12:08 NCR 614									
15A NCAC 18A .2517	12:08 NCR 614									
15A NCAC 18A .2518	12:08 NCR 614									
15A NCAC 18A .2522	12:08 NCR 614									
15A NCAC 18A .2526	12:08 NCR 614									
15A NCAC 18A .2528	12:08 NCR 614									
15A NCAC 18A .2530	12:08 NCR 614									
15A NCAC 18A .2531	12:08 NCR 614									
15A NCAC 18A .2532	12:08 NCR 614									
15A NCAC 18A .2535	12:08 NCR 614									
15A NCAC 18A .2537	12:08 NCR 614									
15A NCAC 18A .2539	12:08 NCR 614									

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					Action	Date				
15A NCAC 18A .2543	12:08 NCR 614									
15A NCAC 18A .2600	12:04 NCR 240									
15A NCAC 18A .2601	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2602	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2603	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2604	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2605	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2606	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2607	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2608	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2609	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2610	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2612	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2612		12:14 NCR 1352								
15A NCAC 18A .2613	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2614	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2615	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2616	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2617	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2618	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2620	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2621	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2622	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2623	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2624	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2626	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2627	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2628	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	

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					Action	Date				
15A NCAC 18A .2630	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 18A .2632	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2633	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2638	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2643	12:04 NCR 240		12:08 NCR 696	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 18A .2801	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2802	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2803	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2804	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2805	12:16 NCR 1482									
15A NCAC 18A .2806	12:16 NCR 1482									
15A NCAC 18A .2807	12:16 NCR 1482									
15A NCAC 18A .2808	12:16 NCR 1482									
15A NCAC 18A .2809	12:16 NCR 1482									
15A NCAC 18A .2810	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2811	12:16 NCR 1482									
15A NCAC 18A .2812	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2813	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2817	12:16 NCR 1482									
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2819	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2820	12:16 NCR 1482									
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2822	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2823	12:16 NCR 1482	12:19 NCR 1782								

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					Action	Date				
15A NCAC 18A .2824	12:16 NCR 1482									
15A NCAC 18A .2825	12:16 NCR 1482									
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2827	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2828	12:16 NCR 1482									
15A NCAC 18A .2829	12:16 NCR 1482									
15A NCAC 18A .2830	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2831	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2832	12:16 NCR 1482									
15A NCAC 18A .2833	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2834	12:16 NCR 1482	12:19 NCR 1782								
15A NCAC 18A .2835	12:16 NCR 1482									
15A NCAC 18A .2836	12:16 NCR 1482									
15A NCAC 18A .3101	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3102	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3103	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3104	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3105	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3106	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3107	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3108	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3109	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3110	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 18A .3111	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S						
15A NCAC 19A .0101	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0101	12:02 NCR 52	12:02 NCR 88								
15A NCAC 19A .0102	11:26 NCR 1976		12:02 NCR 61	S/L	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0201	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	

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					Action	Date				
15A NCAC 19A .0203	11:21 NCR 1638		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19A .0205	11:26 NCR 1976		12:02 NCR 61	*	Approve	10/16/97	*		12:11 NCR 947	
15A NCAC 19C .0801	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0802	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0803	12:10 NCR 866	12:01 NCR 31	12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0804	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0805	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0806	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0807	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98				
15A NCAC 19C .0808	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 19C .0809	12:10 NCR 866		12:14 NCR 1272	S	Approve	03/19/98	*			
15A NCAC 21H .0110	12:20 NCR 1822									
15A NCAC 21H .0111	12:20 NCR 1822									
15A NCAC 21H .0113	12:20 NCR 1822									
15A NCAC 21I .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 21J .0101		11:07 NCR 422	11:20 NCR 1552	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 24A .0202		11:24 NCR 1827	12:02 NCR 61	S	Approve	10/16/97			12:11 NCR 947	
15A NCAC 24A .0202		12:01 NCR 31	12:07 NCR 519	S	Approve	12/18/97			12:17 NCR 1620	
15A NCAC 26C .0001	11:19 NCR 1408									
15A NCAC 26C .0002	11:19 NCR 1408									
15A NCAC 26C .0003	11:19 NCR 1408									
15A NCAC 26C .0004	11:19 NCR 1408									
15A NCAC 26C .0005	11:19 NCR 1408									
15A NCAC 26C .0006	11:19 NCR 1408									
15A NCAC 26C .0007	11:19 NCR 1408									
Land Resources/Land Quality										
15A NCAC 04B .0006	12:20 NCAC 1817									
15A NCAC 04B .0007	12:20 NCAC 1817									

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					Action	Date				
15A NCAC 04B .0027	12:20 NCAC 1817									
Marine Fisheries Commission										
15A NCAC 03	11:11 NCR 881									
15A NCAC 03	11:20 NCR 1537									
15A NCAC 03	11:26 NCR 1985									
15A NCAC 03I .0101	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03I .0117	11:26 NCR 1976	11:26 NCR 2000	12:05 NCR 418	*	Object Approve	01/15/98 03/19/98	 *			
15A NCAC 03J .0103	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03J .0104	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03J .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03J .0202	11:26 NCR 1976	12:12 NCR 1063	12:05 NCR 418 12:12 NCR 1002	* *						
15A NCAC 03J .0208	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03J .0301	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03M .0204		11:14 NCR 1153	11:18 NCR 1371	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 03M .0503		11:18 NCR 1383	11:26 NCR 1988	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03M .0503	11:20 NCR 1537	12:05 NCR 431	12:05 NCR 418	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 03M .0503	12:19 NCR 1762									
15A NCAC 03M .0506		11:18 NCR 1383	11:26 NCR 1988	*	Approve	08/21/97	*		12:07 NCR 561	
15A NCAC 03M .0506	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 03M .0507		11:11 NCR 938 Temp Expired	11:26 NCR 1988	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	11:26 NCR 1985		12:12 NCR 1002	*						
15A NCAC 03M .0514		11:18 NCR 1383	11:26 NCR 1088	*	Approve	08/21/97			12:07 NCR 561	
15A NCAC 03O .0204	N/A	N/A	N/A		Approve	08/21/97			12:07 NCR 561	
15A NCAC 03O .0211	11:26 NCR 1976		12:05 NCR 418	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 03O .0306		12:19 NCR 1780								

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					Action	Date				
Parks and Recreation Commission										
15A NCAC 12A .0001	12:13 NCR 1097									
15A NCAC 12A .0004	12:13 NCR 1097									
15A NCAC 12A .0005	12:13 NCR 1097									
15A NCAC 12B .0101	12:13 NCR 1097									
15A NCAC 12B .0104	12:13 NCR 1097									
15A NCAC 12B .0106	12:13 NCR 1097									
15A NCAC 12B .0203	12:13 NCR 1097									
15A NCAC 12B .0401	12:13 NCR 1097									
15A NCAC 12B .0402	12:13 NCR 1097									
15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .0901	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
15A NCAC 12K .0101	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0102	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0103	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0104	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0105	12:02 NCR 52		12:12 NCR 1046	S	Approve	03/19/98				
15A NCAC 12K .0106	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0107	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0108	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98	*			

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					Action	Date				
15A NCAC 12K .0109	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0110	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
15A NCAC 12K .0111	12:02 NCR 52		12:12 NCR 1046	*	Approve	03/19/98				
Radiation Protection										
15A NCAC 11 .0104	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0117	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0301	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0339	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 11 .0340	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0353	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0358	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0401	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0402	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0403	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0404	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0405	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0406	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0407	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0408	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0409	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0410	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0411	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0412	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0413	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0414	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0415	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0416	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0417	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	

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					Action	Date				
15A NCAC 11 .0418	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0419	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0420	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0421	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0422	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0423	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0424	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0425	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0426	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0427	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .0428	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .1100	12:04 NCR 240									
15A NCAC 11 .1400	12:04 NCR 240									
15A NCAC 11 .1601	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .1603	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 11 .1611	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .1620	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 11 .1647	12:04 NCR 240		12:09 NCR 749	*	Approve	01/15/98			12:21 NCR 1886	
Soil & Water Conservation										
15A NCAC 06E .0104	N/A	N/A	N/A		Object	10/16/97				
					Approve	12/18/97			12:17 NCR 1620	
15A NCAC 06E .0105	N/A	N/A	N/A		Object	10/16/97				
					Approve	12/18/97			12:17 NCR 1620	
15A NCAC 06E .0105	12:20 NCR 1817									
15A NCAC 06E .0106	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
15A NCAC 06E .0107	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
15A NCAC 06E .0108	N/A	N/A	N/A		Approve	10/16/97			12:11 NCR 947	
Water Pollution Control System Operators Certification Commission										
15A NCAC 08A	11:26 NCR 1976									
15A NCAC 08B	11:26 NCR 1976									

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					Action	Date				
15A NCAC 08C	11:26 NCR 1976									
15A NCAC 08D	11:26 NCR 1976									
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0101		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0102		11:19 NCR 1442	11:28 NCR 2123	*	Withheld	09/18/97				
					Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 08F .0201		11:19 NCR 1442	11:28 NCR 2123	S	Object	09/18/97				
					Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 08F .0202		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0203		11:19 NCR 1442	11:28 NCR 2123	S	Object	09/18/97				
					Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
15A NCAC 08F .0301		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0401		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0402		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0403		11:19 NCR 1442	11:28 NCR 2123	S	Withheld	09/18/97				
					Approve	11/20/97	*		12:16 NCR 1521	
15A NCAC 08F .0404		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0405		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0406		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0407		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0501		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0502		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0503		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0504		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97			12:10 NCR 878	
15A NCAC 08F .0505		11:19 NCR 1442	11:28 NCR 2123	S	Approve	09/18/97	*		12:10 NCR 878	
15A NCAC 08F .0506		11:19 NCR 1442	11:28 NCR 2123	*	Approve	09/18/97			12:10 NCR 878	
Water Treatment Facility Certification Board										
15A NCAC 18D .0105	10:18 NCR 2317		12:11 NCR 922	*	Approve	02/19/98	*			
15A NCAC 18D .0201	10:18 NCR 2317		12:11 NCR 922	S/L	Approve	03/19/98	*			

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					Action	Date				
15A NCAC 18D .0307	10:18 NCR 2317		12:11 NCR 922	*	Approve	02/19/98				
15A NCAC 18D .0308	10:18 NCR 2317		12:11 NCR 922	S/L	Approve	03/19/98	*			
15A NCAC 18D .0309	10:18 NCR 2317		12:11 NCR 922	*	Approve	02/19/98	*			
15A NCAC 18D .0405	10:18 NCR 2317		12:11 NCR 922	*	Approve	03/19/98	*			
15A NCAC 18D .0701	10:18 NCR 2317		12:11 NCR 922	*	Approve	02/19/98	*			
Wildlife Resources Commission										
15A NCAC 10B .0100	12:06 NCR 445									
15A NCAC 10B .0111	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0113	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0115	11:11 NCR 882	Agency Withdrew Rule-making								
15A NCAC 10B .0116	11:12 NCR 959		11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10B .0200	12:06 NCR 445									
15A NCAC 10B .0202	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0203	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0208	11:02 NCR 76		11:08 NCR 495	*	Agency Withdrew Rule-making					
15A NCAC 10B .0209	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0216	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10B .0300	12:06 NCR 445									
15A NCAC 10B .0400	12:06 NCR 445									
15A NCAC 10C .0101	12:06 NCR 445									
15A NCAC 10C .0102	12:06 NCR 445									
15A NCAC 10C .0103	12:06 NCR 445									
15A NCAC 10C .0104	12:06 NCR 445									
15A NCAC 10C .0105	12:06 NCR 445									
15A NCAC 10C .0106	12:06 NCR 445									
15A NCAC 10C .0107	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10C .0107	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0108	12:06 NCR 445									

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					Action	Date				
15A NCAC 10C .0109	12:06 NCR 445									
15A NCAC 10C .0110	12:06 NCR 445									
15A NCAC 10C .0111	12:06 NCR 445									
15A NCAC 10C .0203	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0205	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0206	12:06 NCR 445									
15A NCAC 10C .0211	12:06 NCR 445									
15A NCAC 10C .0212	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0215	12:06 NCR 445									
15A NCAC 10C .0302	12:06 NCR 445									
15A NCAC 10C .0304	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0305	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0401	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10C .0401	11:07 NCR 408	Agency Withdrew Rule-making								
15A NCAC 10C .0401	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0402	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0404	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10C .0407	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D	12:18 NCR 1694									
15A NCAC 10D .0001	12:06 NCR 445									
15A NCAC 10D .0002	11:02 NCR 76		11:08 NCR 495	*	Agency Withdrew Rule-making					
15A NCAC 10D .0002	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D .0003	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10D .0004	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10E .0001	12:06 NCR 445									
15A NCAC 10E .0002	12:06 NCR 445									
15A NCAC 10E .0003	12:06 NCR 445									
15A NCAC 10E .0004	12:06 NCR 445									

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15A NCAC 10F .0100	12:06 NCR 445									
15A NCAC 10F .0102	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0103	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0104	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0105	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0109	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10F .0300	11:01 NCR 13	Agency Withdrew Rule-making								
15A NCAC 10F .0301	12:19 NCR 1763									
15A NCAC 10F .0302	11:05 NCR 272		11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0303	12:19 NCR 1763									
15A NCAC 10F .0305	12:10 NCR 865	12:16 NCR 1518	12:16 NCR 1518	*						
15A NCAC 10F .0307	11:08 NCR 451		11:14 NCR 1150	*	Approve	03/20/97	*		11:26 NCR 2004	
15A NCAC 10F .0308	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0310	12:19 NCR 1763									
15A NCAC 10F .0311	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 10F .0311	12:11 NCR 920		12:17 NCR 1608	L						
15A NCAC 10F .0314	12:19 NCR 1763									
15A NCAC 10F .0317	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0317	12:11 NCR 920		12.17 NCR 1608	L						
15A NCAC 10F .0318	12:06 NCR 445									
15A NCAC 10F .0327	11:14 NCR 1109		11:20 NCR 1551	*	Approve	04/17/97	*		11:29 NCR 2211	
15A NCAC 10F .0327	12:11 NCR 920		12:17 NCR 1608	L						
15A NCAC 10F .0330	12:05 NCR 337	12:16 NCR 1518	12:11 NCR 921	*	Approve	02/19/98				
15A NCAC 10F .0330	N/A	N/A	N/A		Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0333	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*	Approve	01/15/98	*		12:21 NCR 1886	
15A NCAC 10F .0339	11:13 NCR 1039		11:19 NCR 1427	*	Approve	04/17/97			11:29 NCR 2211	
15A NCAC 10F .0339	11:21 NCR 1638		11:29 NCR 2206	*	Approve	09/18/97			12:10 NCR 878	
15A NCAC 10F .0339	12:05 NCR 337	12:16 NCR 1518	12:11 NCR 921	*	Approve	02/19/98				

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15A NCAC 10F .0345	12:06 NCR 445	12:19 NCR 1781	12:12 NCR 1004	*						
15A NCAC 10F .0347	12:06 NCR 445	12:19 NCR 1781	12:12 NCR 1004	*						
15A NCAC 10F .0355	11:25 NCR 1905	12:08 NCR 728	12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
15A NCAC 10F .0359	12:19 NCR 1763									
15A NCAC 10F .0360	12:01 NCR 5	12:13 NCR 1186	12:07 NCR 517	*	Approve	01/15/98			12:21 NCR 1886	
15A NCAC 10F .0367	11:16 NCR 1269									
15A NCAC 10G	11:01 NCR 13	Agency Withdrew Rule-making								
15A NCAC 10G .0100	11:02 NCR 76	Agency Withdrew Rule-making								
15A NCAC 10G .0400	12:06 NCR 445									
15A NCAC 10G .0402	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10G .0403	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10G .0404	12:06 NCR 445		12:12 NCR 1004	*						
15A NCAC 10H .0100	12:06 NCR 445									
15A NCAC 10H .0300	12:06 NCR 445									
15A NCAC 10H .0300	12:18 NCR 1694									
15A NCAC 10H .0802	12:06 NCR 445		12:13 NCR 1127	*						
15A NCAC 10H .0810	12:06 NCR 445		12:13 NCR 1137	*						
15A NCAC 10H .0900	12:06 NCR 445									
15A NCAC 10H .1000	12:06 NCR 445									
15A NCAC 10H .1100	12:06 NCR 445									
15A NCAC 10H .1200	12:06 NCR 445									
15A NCAC 10I .0001	12:06 NCR 445									
15A NCAC 10I .0002	12:06 NCR 445									
15A NCAC 10I .0003	12:06 NCR 445									
15A NCAC 10I .0004	12:06 NCR 445									
15A NCAC 10I .0005	12:06 NCR 445									
15A NCAC 10J .0001	12:06 NCR 445									
15A NCAC 10J .0002	12:06 NCR 445									

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					Action	Date				
15A NCAC 10J .0003	12:06 NCR 445									
15A NCAC 10J .0004	12:06 NCR 445									
FINAL DECISION LETTERS										
Voting Rights Act										12:01 NCR 4
Voting Rights Act										12:02 NCR 50
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GENERAL CONTRACTORS LICENSING BOARD										
21 NCAC 12 .0202		11:24 NCR 1828	12:07 NCR 524	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 12 .0204	11:28 NCR 2117		12:04 NCR 292	*						
21 NCAC 12 .0503	11:28 NCR 2117									
21 NCAC 12 .0504	11:28 NCR 2117									
21 NCAC 12 .0901	11:28 NCR 2117		12:04 NCR 292	*	Approve	02/19/98				
21 NCAC 12 .0902	11:28 NCR 2117									
21 NCAC 12 .0903	11:28 NCR 2117		12:04 NCR 292	*	Approve	02/19/98	*			
21 NCAC 12 .0904	11:28 NCR 2117		12:04 NCR 292	*	Approve	02/19/98				
21 NCAC 12 .0905	11:28 NCR 2117									

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 12 .0906	11:28 NCR 2117									
21 NCAC 12 .0907	11:28 NCR 2117									
21 NCAC 12 .0908	11:28 NCR 2117									
21 NCAC 12 .0909	11:28 NCR 2117									
21 NCAC 12 .0910	11:28 NCR 2117									
21 NCAC 12 .0911	11:28 NCR 2117									
21 NCAC 12 .0912	11:28 NCR 2117									
GOVERNOR'S EXECUTIVE ORDERS										
Number 112 - Eff. 05/22/97										12:01 NCR 1
Number 113 - Eff. 06/12/97										12:01 NCR 1
Number 114 - Eff. 06/26/97										12:03 NCR 110
Number 115 - Eff. 07/03/97										12:03 NCR 110
Number 116 - Eff. 07/21/97										12:04 NCR 227
Number 117 - Eff. 09/07/97										12:07 NCR 505
Number 118 - Eff. 09/15/97										12:08 NCR 612
Number 119 - Eff. 10/01/97										12:08 NCR 612
Number 120 - Eff. 10/22/97										12:11 NCR 917
Number 121 - Eff. 11/03/97										12:15 NCR 1407
Number 122 - Eff. 12/11/97										12:15 NCR 1407
Number 123 - Eff. 12/18/97										12:15 NCR 1407
Number 124 - Eff. 12/18/97										12:15 NCR 1407
Number 125 - Eff. 12/18/97										12:15 NCR 1407
Number 126 - Eff. 12/19/97										12:15 NCR 1407
Number 127 - Eff. 01/16/98										12:16 NCR 1472
Number 128 - Eff. 01/21/98										12:17 NCR 1606
Number 129 - Eff. 02/04/98										12:17 NCR 1606
Number 130 - Eff. 02/25/98										12:19 NCR 1749
Number 131 - Eff. 03/25/98										12:21 NCR 1870

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
HOUSING FINANCE AGENCY										
24 NCAC 01P .0101		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
24 NCAC 01P .0102		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
24 NCAC 01P .0103		11:14 NCR 1154	11:28 NCR 2132	S	Object	07/17/97				
					Approve	08/21/97	*		12:07 NCR 561	
24 NCAC 01P .0201		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*		12:04 NCR 317	
24 NCAC 01P .0202		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97	*		12:04 NCR 317	
24 NCAC 01P .0203		11:14 NCR 1154	11:28 NCR 2132	S	Approve	07/17/97			12:04 NCR 317	
HEALTH AND HUMAN SERVICES										
10 NCAC 01B .0501	11:23 NCR 1779		12:09 NCR 747	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 01B .0502	11:23 NCR 1779		12:09 NCR 747	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 49B .0315		12:18 NCR 1703								
Aging										
10 NCAC 22	10:23 NCR 2956									
Child Day Care Commission										
10 NCAC 03U .0102	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0102	12:21 NCR 1873									
10 NCAC 03U .0201	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0202	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0204	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0205	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0206	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0207	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0300	12:21 NCR 1873									
10 NCAC 03U .0301	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0302	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0302	12:08 NCR 617		12:13 NCR 1098	*	**Object**	**03/19/98**				
10 NCAC 03U .0303	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0304	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0401	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03U .0403	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0505	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0506	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0506	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0507	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0508	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0509	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0509	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0510	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0511	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0601	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0602	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0602	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0604	11:03 NCR 109		11:09 NCR 571	*	Approve	03/20/97			11:26 NCR 2004	
10 NCAC 03U .0604	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0604	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0605	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0605	12:08 NCR 617		12:13 NCR 1098	S/L	Approve	03/19/98	*			
10 NCAC 03U .0701	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0702	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0703	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0704	12:08 NCR 617		12:13 NCR 1098	*	**Object**	**03/19/98**				
10 NCAC 03U .0705	11:14 NCR 1108		11:27 NCR 2054	*						
10 NCAC 03U .0705	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U .0705	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0707	11:08 NCR 449		11:17 NCR 1338	*	Object	03/20/97				
					Approve	04/17/97	*		11:29 NCR 2211	
10 NCAC 03U .0707	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0708	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03U .0709	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0710	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0711	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0712	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0713	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0714	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0714	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0802	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0802	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0803	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .0803	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .0804	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0806	12:08 NCR 617		12:13 NCR 1098	*						
10 NCAC 03U .0901	11:08 NCR 449		11:17 NCR 1338	*	**Object**	**03/19/98**				
10 NCAC 03U .0901	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .0902	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1001	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1002	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1003	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1004	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1301	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1302	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1303	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1304	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1401	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1402	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1403	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1600	12:21 NCR 1873									

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					Action	Date				
10 NCAC 03U .1700	12:21 NCR 1873									
10 NCAC 03U .1701	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1702	12:08 NCR 617		12:13 NCR 1098	*	**Object**	**03/19/98**				
10 NCAC 03U .1703	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1705	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1716	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1717	11:14 NCR 1108		11:27 NCR 2054	*	Approve	03/19/98				
10 NCAC 03U .1717	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .1717	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1718	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1719	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1720	12:08 NCR 617		12:13 NCR 1098	*	**Object**	**03/19/98**				
10 NCAC 03U .1721	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .1722	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .1723	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .2000	12:21 NCR 1873									
10 NCAC 03U .2500	12:21 NCR 1873									
10 NCAC 03U .2506	11:29 NCR 2181		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .2510	11:08 NCR 449	Agency withdrew rule-making								
10 NCAC 03U .2510	11:29 NCR 449		12:13 NCR 1098	*	Approve	03/19/98	*			
10 NCAC 03U .2601	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2602	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2603	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2603	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2604	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2605	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2606	11:08 NCR 449	Agency withdrew rule-making								
10 NCAC 03U .2606	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03U .2607	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2608	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2609	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2610	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2610	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2611	11:24 NCR 1817	Agency withdrew rule-making								
10 NCAC 03U .2611	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
10 NCAC 03U .2612	12:08 NCR 617		12:13 NCR 1098	*	Approve	03/19/98				
Facility Services										
Public Notice - Draft 1998 State Medical Facilities Plan										12:01 NCR 2
Abbreviated Notice of Temporary Rule-making										12:06 NCR 443
10 NCAC 03	10:18 NCR 2399									
10 NCAC 03R .0214	12:08 NCR 617									
10 NCAC 03R .3000	11:23 NCR 1780									
10 NCAC 03R .3001	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3002		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3020	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
					Object	11/21/96	*			
					Approve	03/20/97	*		11:26 NCR 2004	
10 NCAC 03R .3030	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3030		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	10/17/96				11:11 NCR 888
					Object	11/21/96	*			
					Approve	03/20/97	*		11:26 NCR 2004	
10 NCAC 03R .3031	11:23 NCR 1780		11:08 NCR 459		Extend Review	03/20/97	*			
					Approve	08/21/97	*		12:07 NCR 561 12:10 NCR 878	
10 NCAC 03R .3032	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3033		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
					Extend Review	03/20/97				
					Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 03R .3034		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
					Return to agency	03/20/97				
10 NCAC 03R .3035		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
					Return to agency	03/20/97				
10 NCAC 03R .3036		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
					Return to agency	03/20/97				
10 NCAC 03R .3037		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
					Return to agency	03/20/97				
10 NCAC 03R .3038		10:21 NCR 2699	11:08 NCR 452	S/L/SE	Object	01/16/97				
					Return to agency	03/20/97				
10 NCAC 03R .3040	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3050	10:23 NCR 2956		11:06 NCR 328	S/L/SE						
10 NCAC 03R .3051		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3051		12:15 NCR 1431								
10 NCAC 03R .3052		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3053		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3053		11:22 NCR 1713								
10 NCAC 03R .3053		12:06 NCR 481								
10 NCAC 03R .3054		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3055		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3056		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3057		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3058		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3059		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3060		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3060		12:06 NCR 481								
10 NCAC 03R .3061		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3061		12:06 NCR 481								
10 NCAC 03R .3062		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3062		12:06 NCR 481			Withdrawn by agcy 11/97					
10 NCAC 03R .3063		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3063		12:06 NCR 481								
10 NCAC 03R .3064		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3064		12:06 NCR 481			Withdrawn by agcy 11/97					

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R .3065		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03R .3065		12:06 NCR 481								
10 NCAC 03R .3066		11:21 NCR 1655	12:04 NCR 246	*	Withdrawn by agcy 11/97					
10 NCAC 03R .3066		12:06 NCR 481			Withdrawn by agcy 11/97					
10 NCAC 03R .3067		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3068		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3069		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3070		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3071		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3072		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3072		12:06 NCR 481								
10 NCAC 03R .3073		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
10 NCAC 03R .3074		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
10 NCAC 03R .3075		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3076		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3077		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3078		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3079		11:21 NCR 1655	12:04 NCR 246	S/L/SE	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3080		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3081		11:21 NCR 1655	12:04 NCR 246	*	Object	11/20/97				
					Approve	12/18/97	*		12:17 NCR 1620	
10 NCAC 03R .3082		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3083		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3084		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3085		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3086		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3087		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	
10 NCAC 03R .3088		11:21 NCR 1655	12:04 NCR 246	*	Approve	11/20/97			12:16 NCR 1521	

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03R .6001	11:22 NCR 1704									
10 NCAC 03R .6101		11:15 NCR 1431								
10 NCAC 03R .6102		11:15 NCR 1431								
10 NCAC 03R .6103		11:15 NCR 1431								
10 NCAC 03R .6104		11:15 NCR 1431								
10 NCAC 03R .6105		11:15 NCR 1431								
10 NCAC 03R .6106		11:15 NCR 1431								
10 NCAC 03R .6107		11:15 NCR 1431								
10 NCAC 03R .6108		11:15 NCR 1431								
10 NCAC 03R .6109		11:15 NCR 1431								
10 NCAC 03R .6110		11:15 NCR 1431								
10 NCAC 03R .6111		11:15 NCR 1431								
10 NCAC 03R .6112		11:15 NCR 1431								
10 NCAC 03R .6113		11:15 NCR 1431								
10 NCAC 03R .6114		11:15 NCR 1431								
10 NCAC 03R .6115		11:15 NCR 1431								
10 NCAC 03R .6116		11:15 NCR 1431								
10 NCAC 03R .6117		11:15 NCR 1431								
10 NCAC 03R .6118		11:15 NCR 1431								
10 NCAC 03R .6119		11:15 NCR 1431								
10 NCAC 03R .6120		11:15 NCR 1431								
10 NCAC 03R .6121		11:15 NCR 1431								
10 NCAC 03R .6122		11:15 NCR 1431								
10 NCAC 03R .6123		11:15 NCR 1431								
10 NCAC 03R .6124		11:15 NCR 1431								
10 NCAC 03R .6125		11:15 NCR 1431								
10 NCAC 03R .6126		11:15 NCR 1431								
10 NCAC 03R .6127		11:15 NCR 1431								

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					Action	Date				
10 NCAC 03R .6128		11:15 NCR 1431								
10 NCAC 03R .6129		11:15 NCR 1431								
10 NCAC 03R .6130		11:15 NCR 1431								
10 NCAC 03R .6131		11:15 NCR 1431								
10 NCAC 03R .6132		11:15 NCR 1431								
10 NCAC 03R .6133		11:15 NCR 1431								
10 NCAC 03R .6134		11:15 NCR 1431								
10 NCAC 03R .6135		11:15 NCR 1431								
10 NCAC 03R .6136		11:15 NCR 1431								
10 NCAC 03R .6137		11:15 NCR 1431								
10 NCAC 03R .6138		11:15 NCR 1431								
10 NCAC 03R .6139		11:15 NCR 1431								
10 NCAC 03R .6140		11:15 NCR 1431								
10 NCAC 03R .6141		11:15 NCR 1431								
Medical Assistance										
Medicaid Disproportionate Share List										12:02 NCR 46
10 NCAC 26B .0103	12:18 NCR 1694									
10 NCAC 26B .0113	10:16 NCR 1721		11:28 NCR 2118	S/L	Agency withdrew	09/18/97				
					Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 26B .0123		11:19 NCR 1436	11:24 NCR 1824	*	Approve	06/19/97	*		12:03 NCR 213	
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26G .0707	11:08 NCR 450	11:15 NCR 1205	11:18 NCR 1371	*	Approve	04/17/97			11:29 NCR 2211	
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0102	12:09 NCR 743	12:14 NCR 1341	12:18 NCR 1696	S/L/SE						
10 NCAC 26H .0104	11:16 NCR 1268	12:14 NCR 1341	11:23 NCR 1781	S/L	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 26H .0211	12:09 NCR 743	12:14 NCR 1341	12:18 NCR 1696	S/L/SE						
10 NCAC 26H .0212		11:15 NCR 1205	Temp Expired							
10 NCAC 26H .0212		12:09 NCR 827								

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					Action	Date				
10 NCAC 26H .0213		11:15 NCR 1205	Temp Expired							
10 NCAC 26H .0213	11:18 NCR 1368		12:07 NCR 511	S/SE	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 26H .0213		11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								
10 NCAC 26H .0401	12:08 NCR 618	12:14 NCR 1341	12:21 NCR 1875	S/L						
10 NCAC 26H .0506	10:21 NCR 2686									
10 NCAC 26H .0506		11:19 NCR 1438	11:29 NCR 2205	S/L/SE	Approve	09/18/97	*		12:10 NCR 878	
10 NCAC 26H .0602		12:04 NCR 313	12:15 NCR 1419	S/L						
10 NCAC 26K .0106	12:05 NCR 337									
10 NCAC 26K .0106	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26M .0201	12:06 NCR 444									
10 NCAC 26M .0202	12:06 NCR 444									
10 NCAC 26M .0203	12:05 NCR 337									
10 NCAC 26M .0203	12:06 NCR 444									
10 NCAC 26M .0204	12:06 NCR 444									
10 NCAC 50A .0604	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0202		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97	*		12:04 NCR 317	
10 NCAC 50B .0202	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 50B .0404		11:10 NCR 841	11:28 NCR 2118	L	Approve	07/17/97			12:04 NCR 317	
10 NCAC 50B .0409		11:10 NCR 841	11:28 NCR 2118	*	Approve	07/17/97			12:04 NCR 317	
10 NCAC 50D .0101	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0102	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0103	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0201	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0301	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0302	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0401	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0402	10:24 NCR 3057	11:04 NCR 196	Temp Expired							

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 50D .0501	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0502	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
10 NCAC 50D .0503	10:24 NCR 3057	11:04 NCR 196	Temp Expired							
Medical Care Commission										
10 NCAC 03B	11:16 NCR 1268									
10 NCAC 03B .1001		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03B .1002		11:20 NCR 1560	11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03C .3707	11:20 NCR 1534		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .0801	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .0802	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0803	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0805	N/A	N/A	N/A	N/A	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0806	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .0901	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0902	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0904	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .0905	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0907	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0908	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0909	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0911	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0913	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .0915	11:23 NCR 1779		12:05 NCR 339	*	Object Approve	01/15/98 02/19/98	 *			
10 NCAC 03D .0916	11:23 NCR 1779		12:05 NCR 339	*	Object Approve	01/15/98 02/19/98	 *			
10 NCAC 03D .0917	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0918	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0919	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0920	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
10 NCAC 03D .0921	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0922	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0923	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0924	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .0925	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .0926	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .1001	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1002	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .1003	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1004	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03D .1103	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1202	11:23 NCR 1779		12:05 NCR 339	S/L	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1203	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1204	11:23 NCR 1779		12:05 NCR 339	*	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1205	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1206	11:23 NCR 1779		12:05 NCR 339	S/L	Approve	01/15/98	*		12:21 NCR 1886	
10 NCAC 03D .1301	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1302	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1401	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1403	11:23 NCR 1779		12:05 NCR 339	*	Object	01/15/98				
					Approve	02/19/98	*			
10 NCAC 03D .1500	11:23 NCR 1779									
10 NCAC 03D .2001	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2101	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2102	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2103	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	

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					Action	Date				
10 NCAC 03D .2104	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03D .2105	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2106	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2201	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2202	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2203	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2301	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2302	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97			12:11 NCR 947	
10 NCAC 03D .2303	10:18 NCR 2399		11:29 NCR 2187	*	Object	10/16/97				
					Approve	11/20/97	*		12:16 NCR 1521	
10 NCAC 03D .2401	10:18 NCR 2399		11:29 NCR 2187	*	Approve	10/16/97	*		12:11 NCR 947	
10 NCAC 03M .0105	11:23 NCR 1779		12:06 NCR 459	*	Approve	01/15/98			12:21 NCR 1886	
10 NCAC 03M .0205	11:23 NCR 1779		12:06 NCR 459	*	Approve	01/15/98			12:21 NCR 1886	
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14G .0102		12:12 NCR 1060	12:19 NCR 1766	*						
10 NCAC 14V .0800	12:20 NCR 1820									
10 NCAC 14V .3402	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 14V .3800	12:20 NCR 1820									
10 NCAC 14V .3803	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*	Approve	05/15/97	*		11:30 NCR 2314	
10 NCAC 14V .4000	12:20 NCR 1820									
10 NCAC 14V .4301	12:19 NCR 1762									
10 NCAC 14V .4302	12:19 NCR 1762									
10 NCAC 14V .4303	12:19 NCR 1762									
10 NCAC 14V .4304	12:19 NCR 1762									
10 NCAC 14V .4305	12:19 NCR 1762									
10 NCAC 14V .4306	12:19 NCR 1762									
10 NCAC 14V .5000	12:20 NCR 1820									
10 NCAC 14V .5602	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				

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					Action	Date				
			11:24 NCR 1822	*	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 15A .0128	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 15A .0129	11:08 NCR 449		11:14 NCR 1124	*	Withdrawn	01/16/97				
			11:24 NCR 1822	*	Approve	05/15/97			11:30 NCR 2314	
10 NCAC 18W .0201	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0202	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0203	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0204	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0205	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0206	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0207	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0208	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0209	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0210	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0211	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0212	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0213	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0214	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0215	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0216	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0217	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 18W .0218	10:15 NCR 1478		11:14 NCR 1124	S	Object	01/16/97				
					Approve	02/20/97	*			
10 NCAC 18W .0219	10:15 NCR 1478		11:14 NCR 1124	S	Approve	01/16/97	*			
10 NCAC 45H .0200	11:08 NCR 449									
10 NCAC 45H .0203	11:08 NCR 449	11:29 NCR 2208	11:29 NCR 2208	*	Approve	12/18/97	*		12:17 NCR 1620	
10 NCAC 45H .0205	11:19 NCR 1762									

Secretary of Health and Human Services

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10 NCAC 14C .1151	12:20 NCR 1820									
10 NCAC 14V .7006		12:01 NCR 31	12:07 NCR 511	*						
10 NCAC 14V .7101	11:30 NCR 2300		12:06 NCR 459	*	Approve	02/19/98	*			
10 NCAC 14V .7102	11:30 NCR 2300		12:06 NCR 459	*	Approve	02/19/98	*			
10 NCAC 14V .7103	11:30 NCR 2300		12:06 NCR 459	S	Approve	02/19/98	*			
10 NCAC 14V .7104	11:30 NCR 2300		12:06 NCR 459	S	Approve	03/19/98	*			
10 NCAC 14V .7105	11:30 NCR 2300		12:06 NCR 459	S	Approve	02/19/98	*			
10 NCAC 21B .0117		12:17 NCR 1616	12:21 NCR 1875	S						
Social Services Commission										
10 NCAC 24A .0508	12:12 NCR 993	12:13 NCR 1180								
10 NCAC 30 .0207	12:11 NCR 919	12:14 NCR 1347	12:15 NCR 1420	*						
10 NCAC 35E .0101		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0105		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0106		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 35E .0308		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 41A .0007		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 41E	12:11 NCR 919									
10 NCAC 41F .0707		12:11 NCR 938	12:15 NCR 1420	S						
10 NCAC 41F .0813		12:11 NCR 938	12:15 NCR 1420	S						
10 NCAC 41G	12:11 NCR 919									
10 NCAC 41I .0100	10:17 NCR 2228									
10 NCAC 41I .0102	10:17 NCR 2228		10:21 NCR 2687	*						
10 NCAC 42C .3401		12:13 NCR 1180								
10 NCAC 42C .3403		12:13 NCR 1180								
10 NCAC 42C .3404		12:13 NCR 1180								
10 NCAC 42C .3601		12:13 NCR 1180								
10 NCAC 42J .0001		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97	*		12:07 NCR 561	
10 NCAC 42J .0004		11:16 NCR 1288	11:30 NCR 2301	*	Approve	08/21/97			12:07 NCR 561	

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					Action	Date				
10 NCAC 42J .0005		11:16 NCR 1288	11:30 NCR 2301	*	Object	08/21/97				
					Approve	09/18/97	*		12:10 NCR 878	
10 NCAC 42R .0201	12:11 NCR 919	12:13 NCR 1180								
10 NCAC 47A .0502		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0102		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0303		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0304		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0305		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 47B .0403		12:11 NCR 938	12:15 NCR 1420	*						
10 NCAC 49B .0608	12:20 NCR 1822									
Vocational Rehabilitation Services										
10 NCAC 20C .0201	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0202	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0203	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0601	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0603	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0604	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
10 NCAC 20C .0606	12:08 NCR 618		12:13 NCR 1135	*	Approve	03/19/98				
INSURANCE										
11 NCAC 06	12:09 NCR 744									
11 NCAC 10 .0105	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98	*			
11 NCAC 10 .0602		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0603		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 10 .0606		11:15 NCR 1223	11:19 NCR 1426	*	Approve	03/20/97	*		11:26 NCR 2004	
11 NCAC 11B .0601	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0602	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0603	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0604	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0605	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				

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					Action	Date				
11 NCAC 11B .0606	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0607	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0608	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0609	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0610	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0611	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0612	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0613	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0614	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0615	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0616	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11B .0617	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11C .0108	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 11C .0109	12:09 NCR 744		12:14 NCR 1255	*	Approve	03/19/98				
11 NCAC 12	12:09 NCR 744									
11 NCAC 12 .1703	N/A	N/A	N/A		Approve	12/18/97			12:17 NCR 1620	
11 NCAC 12 .1801		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12 .1802		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12 .1803		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 12 .1804		12:11 NCR 942	12:15 NCR 1424	*						
11 NCAC 13	12:09 NCR 744									
11 NCAC 14	12:09 NCR 744									
11 NCAC 15	12:09 NCR 744									
11 NCAC 16	12:09 NCR 744									
11 NCAC 17	12:09 NCR 744									
11 NCAC 19 .0002	12:09 NCR 744		12:14 NCR 1262	*	Approve	03/19/98	*			
11 NCAC 19 .0003	12:09 NCR 744		12:14 NCR 1262	*	Approve	03/19/98	*			
11 NCAC 19 .0004	12:09 NCR 744		12:14 NCR 1262	*	Approve	03/19/98				

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					Action	Date				
11 NCAC 19 .0006	12:09 NCR 744		12:14 NCR 1262	*	Approve	03/19/98				
11 NCAC 20	12:09 NCR 744									
11 NCAC 21	12:09 NCR 744									
Fire and Rescue Commission										
11 NCAC 05C .0101	12:09 NCR 744		12:14 NCR 1252	*	Approve	03/19/98				
11 NCAC 05C .0102	12:09 NCR 744		12:14 NCR 1252	*	Approve	03/19/98				
11 NCAC 05C .0103	12:09 NCR 744		12:14 NCR 1252	*	Approve	03/19/98	*			
11 NCAC 05C .0104	12:09 NCR 744		12:14 NCR 1252	*	Agency Withdrew	03/19/98				
Home Inspector Licensure Board										
Home Inspector Licensure Board										11:27 NCR 2049
11 NCAC 08	12:09 NCR 744									
11 NCAC 08 .1000	12:09 NCR 744									
11 NCAC 08 .1001		11:15 NCR 1212	11.19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1002		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1003		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1004		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97	*		12:03 NCR 213	
11 NCAC 08 .1005		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1006		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1007		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1008		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1009		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1010		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1011		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1101		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	

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					Action	Date				
11 NCAC 08 .1102		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1103		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1104		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1105		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97	*		12:03 NCR 213	
11 NCAC 08 .1106		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1107		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1108		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1109		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1110		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1111		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1112		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1113		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1114		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1115		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1116		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1201		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1202		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1203		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1204		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1205		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1206		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	

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					Action	Date				
11 NCAC 08 .1207		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1208		11:15 NCR 1212	11:19 NCR 1416	*	Agency Withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1209		11:15 NCR 1212	11:19 NCR 1416	*	Agency withdrew	03/97				Temp Filed over obj
			11:25 NCR 1906	*	Approve	06/19/97			12:03 NCR 213	
11 NCAC 08 .1301	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98	*			
11 NCAC 08 .1302	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98	*			
11 NCAC 08 .1303	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98				
11 NCAC 08 .1304	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98				
11 NCAC 08 .1305	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98				
11 NCAC 08 .1306	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98				
11 NCAC 08 .1307	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98				
11 NCAC 08 .1308	12:09 NCR 744		12:14 NCR 1253	*	Approve	03/19/98	*			
JUSTICE										
Alarm Systems Licensing Board										
12 NCAC 11	11:30 NCR 2300									
12 NCAC 11 .0202	10:24 NCR 3057		11:14 NCR 1136	*	Tabled	06/19/97				
					Approve	08/21/97			12:07 NCR 561	
12 NCAC 11 .0204	12:12 NCR 993		12:20 NCR 1823	*						
12 NCAC 11 .0210	12:08 NCR 618		12:20 NCR 1823	*						
12 NCAC 11 .0501	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0502	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0503	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0504	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0505	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0506	11:30 NCR 2300		12:20 NCR 1823	*						
12 NCAC 11 .0507	11:30 NCR 2300		12:20 NCR 1823	*						
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0103	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09A .0103	12:21 NCR 1873									

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					Action	Date				
12 NCAC 09B .0101	12:21 NCR 1873									
12 NCAC 09B .0102	11:14 NCR 1109		11:20 NCR 1539	*	Object	04/17/97				
					Approve	05/15/97	*		11:30 NCR 2314	
12 NCAC 09B .0111	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0206	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0210	12:21 NCR 1873									
12 NCAC 09B .0211	12:21 NCR 1873									
12 NCAC 09B .0212	12:21 NCR 1873									
12 NCAC 09B .0213	12:21 NCR 1873									
12 NCAC 09B .0214	12:21 NCR 1873									
12 NCAC 09B .0215	12:21 NCR 1873									
12 NCAC 09B .0218	12:21 NCR 1873									
12 NCAC 09B .0220	12:21 NCR 1873									
12 NCAC 09B .0221	12:21 NCR 1873									
12 NCAC 09B .0222	12:21 NCR 1873									
12 NCAC 09B .0224	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0225	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0301	12:21 NCR 1873									
12 NCAC 09B .0305	12:21 NCR 1873									
12 NCAC 09B .0309	12:21 NCR 1873									
12 NCAC 09B .0310	12:21 NCR 1873									
12 NCAC 09B .0311	12:21 NCR 1873									
12 NCAC 09B .0404	12:21 NCR 1873									
12 NCAC 09B .0408	12:21 NCR 1873									
12 NCAC 09B .0409	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09B .0409	12:21 NCR 1873									
12 NCAC 09B .0414	12:21 NCR 1873									
12 NCAC 09B .0416	12:21 NCR 1873									
12 NCAC 09C .0304	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	

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					Action	Date				
12 NCAC 09C .0307	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97	*		11:29 NCR 2211	
12 NCAC 09C .0309	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0308	12:21 NCR 1873									
12 NCAC 09C .0601	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0602	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0603	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0604	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0605	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0606	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0607	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
12 NCAC 09C .0608	11:14 NCR 1109		11:20 NCR 1539	*	Approve	04/17/97			11:29 NCR 2211	
Private Protective Services Board										
12 NCAC 07D .0104	11:16 NCR 1268		12:09 NCR 748	*	Approve	03/19/98				
12 NCAC 07D .0201	11:10 NCR 818		12:08 NCR 622	*	Approve	03/19/98				
12 NCAC 07D .0204	11:14 NCR 1108		12:08 NCR 622	*	**Object**	**03/19/98**				
12 NCAC 07D .0504	11:10 NCR 818		12:08 NCR 622	*	Approve	03/19/98				
12 NCAC 07D .0701	11:10 NCR 818		12:08 NCR 622	*	Approve	03/19/98				
12 NCAC 07D .0801	11:10 NCR 818		12:08 NCR 622	*	Approve	03/19/98				
12 NCAC 07D .0902	11:10 NCR 818		12:08 NCR 622	*	Approve	03/19/98				
12 NCAC 07D .1106	11:14 NCR 1108		12:08 NCR 622	*	**Object**	**03/19/98**				
12 NCAC 07D .1201	11:10 NCR 818		12:14 NCR 1263	*						
12 NCAC 07D .1202	11:10 NCR 818		12:14 NCR 1263	*						
12 NCAC 07D .1301	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1302	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1303	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1304	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1305	11:16 NCR 1268		12:14 NCR 1263	*						
12 NCAC 07D .1306	11:16 NCR 1268		12:14 NCR 1263	*						

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
12 NCAC 07D .1307	11:16 NCR 1268		12:14 NCR 1263	*						
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0101	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0103	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98	*			
12 NCAC 10B .0107	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0109	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0202	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0204	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0206	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0206	12:07 NCR 508	12:18 NCR 1703	12:18 NCR 1703	*						
12 NCAC 10B .0304	12:04 NCR 242	12:18 NCR 1703	12:08 NCR 624	L	Approve	03/19/98				
12 NCAC 10B .0401	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	S/L	Agency withdrew Approve	01/15/98 03/19/98				
12 NCAC 10B .0402	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0403	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98	*			
12 NCAC 10B .0403	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0406	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0407	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0408	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0409	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0505	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0505	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0601	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0601	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0602	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0603	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0603	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0605	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0701	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				

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					Action	Date				
12 NCAC 10B .0701	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .0702	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0702	12.07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .0703	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0704	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0705	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0706	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0707	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0801	12 04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0802	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B 0903	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0908	12.04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0909	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .0910	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .0911	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .1001	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1002	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .1002	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1004	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .1005	12.04 NCR 242		12.08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .1006	12:04 NCR 242		12.08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .1101	12:04 NCR 242		12:08 NCR 624	*	Approve	03/19/98	*			
12 NCAC 10B .1101	12.07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1101	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1102	12:04 NCR 242		12:08 NCR 624	*	Approve	03/19/98	*			
12 NCAC 10B .1102	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1102	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1103	12:04 NCR 242		12:08 NCR 624	*	Approve	03/19/98	*			

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					Action	Date				
12 NCAC 10B .1103	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1104	12:04 NCR 242		12:08 NCR 624	*	Approve	03/19/98	*			
12 NCAC 10B .1104	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1105	12:04 NCR 242		12:08 NCR 624	*	Approve	03/19/98	*			
12 NCAC 10B .1201	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1202	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .1202	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .1204	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .1205	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97			12:17 NCR 1620	
12 NCAC 10B .1206	12:04 NCR 242		12:08 NCR 624	*	Approve	12/18/97	*		12:17 NCR 1620	
12 NCAC 10B .1301	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .1302	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	S	Approve	03/19/98				
12 NCAC 10B .1303	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	S	Approve	03/19/98				
12 NCAC 10B .1304	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	S	Approve	03/19/98	*			
12 NCAC 10B .2001	N/A	N/A	N/A		Approve	01/15/98			12:21 NCR 1886	
12 NCAC 10B .2002	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
12 NCAC 10B .2101	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98	*			
12 NCAC 10B .2102	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98	*			
12 NCAC 10B .2104	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98	*			
12 NCAC 10B .2105	12:07 NCR 508	12:18 NCR 1703	12:12 NCR 995	*	Approve	03/19/98				
State Bureau of Investigation/Division of Criminal Information										
12 NCAC 04E .0103	11:11 NCR 881		11:17 NCR 1339	*	Approve	05/15/97			11:30 NCR 2314	
12 NCAC 04E .0104	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E .0401	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97			12:04 NCR 317	
12 NCAC 04E .0404	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
12 NCAC 04E .0405	11:17 NCR 1336		11:22 NCR 1710	*	Approve	07/17/97	*		12:04 NCR 317	
LABOR										
Boiler & Pressure Vessel										

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					Action	Date				
13 NCAC 13 .0213		11:25 NCR 1918 12:13 NCR 1184	Temp Expired 12/27/97 12:13 NCR 1184	S/L	Approve	03/19/98	*			
Occupational Safety and Health										
***Verbatim Adoption Federal Standards**										
*13 NCAC 07F .0101										12:08 NCR 613
*13 NCAC 07F .0101									12:20 NCR 1815	
*13 NCAC 07F .0201									12:20 NCR 1815	
*13 NCAC 07F .0501										12:08 NCR 613
*13 NCAC 07F .0502										12:08 NCR 613
13 NCAC 07A .0302	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*			12:16 NCR 1521
13 NCAC 07A .0708	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07A .0900	11:11 NCR 881									
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F .0101	11:24 NCR 1817		12:05 NCR 354	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0101	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0102	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97			12:16 NCR 1521	
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0201	11:09 NCR 568									republished 11:24 NCR 1817
13 NCAC 07F .0201	11:24 NCR 1817		12:02 NCR 60	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0201	11:26 NCR 1984		12:03 NCR 170	*						
13 NCAC 07F .0301	11:03 NCR 106									
13 NCAC 07F .0301	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0426	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0501	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 07F .0502	11:26 NCR 1984		12:03 NCR 170	*	Approve	11/20/97	*		12:16 NCR 1521	
13 NCAC 16 .0101	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	
13 NCAC 16 .0102	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	
13 NCAC 16 .0103	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0201	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
13 NCAC 16 .0202	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0203	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0204	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0205	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0206	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0207	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0208	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0301	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	
13 NCAC 16 .0302	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0303	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0401	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0402	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	
13 NCAC 16 .0501	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97	*		12:17 NCR 1620	
13 NCAC 16 .0502	11:26 NCR 1984		12:05 NCR 412	*	Approve	12/18/97			12:17 NCR 1620	
13 NCAC 16 .0601	11:26 NCR 1984		12:05 NCR 412	*	Agency did not adopt					
13 NCAC 16 .0602	11:26 NCR 1984		12:05 NCR 412	*	Agency did not adopt					
LANDSCAPE ARCHITECTS, BOARD OF										
21 NCAC 26 .0104		12:08 NCR 730								
21 NCAC 26 .0105		12:08 NCR 730								
21 NCAC 26 .0302		12:08 NCR 730								
21 NCAC 26 .0506		12:08 NCR 730								
21 NCAC 26 .0507		12:08 NCR 730								
21 NCAC 26 .0508		12:08 NCR 730								
21 NCAC 26 .0509		12:08 NCR 730								
MEDICAL BOARD										
21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 32F .0103		11:18 NCR 1386	12:04 NCR 294	*						

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					Action	Date				
21 NCAC 32F .0103		Temp Expired 12:14 NCR 1354	12:21 NCR 1881	*						
21 NCAC 32H .0102	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0201	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0202	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0203	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0301	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0302	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0303	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0401	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0402	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0402		12:04 NCR 314								
21 NCAC 32H .0403	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0404	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0405	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0406	11:26 NCR 1986		12:04 NCR 294	L	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0407	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0408	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0409	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0501	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0502	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0503	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0504	11:26 NCR 1986		12:04 NCR 294	L	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0505	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0506	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0507	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0508	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0601	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .0602	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	

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					Action	Date				
21 NCAC 32H .0801	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97	*		12:17 NCR 1620	
21 NCAC 32H .0901	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32H .1004	11:26 NCR 1986		12:04 NCR 294	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 32M	12:19 NCR 1765									
21 NCAC 32O	11:18 NCR 1369									
MORTUARY SCIENCE, BOARD OF										
21 NCAC 34A .0126	12:09 NCR 745		12:14 NCR 1334	L	Approve	03/19/98				
21 NCAC 34A .0201		12:07 NCR 556								
21 NCAC 34A .0201	12:09 NCR 745		12:14 NCR 1334	S	Approve	03/19/98				
21 NCAC 34B .0102	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
21 NCAC 34B .0103	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
21 NCAC 34B .0201	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
21 NCAC 34B .0403	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
21 NCAC 34C	12:09 NCR 745									
21 NCAC 34D .0101	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
21 NCAC 34D .0303	12:09 NCR 745		12:14 NCR 1334	*	Approve	03/19/98				
MUNICIPAL INCORPORATIONS PETITION										
Town of Hemby Bridge - Union County										12:16 NCR 1479
Town of Wesley Chapel - Union County										12:19 NCR 1750
NURSING, BOARD OF										
21 NCAC 36 .0109	11:24 NCR 1821		11:28 NCR 2130	*	Approve	12/18/97			12:17 NCR 1620	
21 NCAC 36 .0227	12:05 NCR 338									
21 NCAC 36 .0320	11:14 NCR 1109		11:19 NCR 1428	*	Object	03/20/97				
					Approve	04/17/97	*		11:29 NCR 2211	
21 NCAC 36 .0601	12:01 NCR 5		12:06 NCR 479	*	Approve	03/19/98	*			
21 NCAC 36 .0602	12:01 NCR 5		12:06 NCR 479	*	Approve	03/19/98	*			
21 NCAC 36 .0603	12:01 NCR 5		12:06 NCR 479	*	Approve	03/19/98	*			
21 NCAC 36 .0604	12:01 NCR 5		12:06 NCR 479	*	Approve	03/19/98				
21 NCAC 36 .0605	12:01 NCR 5		12:06 NCR 479	*	Agency withdrew rule-making					

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					Action	Date				
21 NCAC 36 .0606	12:01 NCR 5		12:06 NCR 479	*	Approve	03/19/98				
NURSING HOME ADMINISTRATORS										
21 NCAC 37D .0202		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97	*		11:29 NCR 2211	
21 NCAC 37G .0102		11:11 NCR 940	11:18 NCR 1372	*	Approve	04/17/97			11:29 NCR 2211	
OPTICIANS, BOARD OF										
21 NCAC 40 .0104	12:09 NCR 745		12:14 NCR 1338	*	Approve	03/19/98				
21 NCAC 40 .0108		12:07 NCR 557								
21 NCAC 40 .0108	12:09 NCR 745		12:14 NCR 1338	S	Approve	03/19/98				
21 NCAC 40 .0202	12:09 NCR 745		12:14 NCR 1338	*	Approve	03/19/98				
21 NCAC 40 .0212	12:09 NCR 745		12:14 NCR 1338	*	Approve	03/19/98				
21 NCAC 40 .0214	12:09 NCR 745		12:14 NCR 1338	S	Approve	03/19/98				
21 NCAC 40 .0319	12:09 NCR 745		12:14 NCR 1338	*	Approve	03/19/98				
21 NCAC 40 .0324	12:09 NCR 745		12:14 NCR 1338	*	Approve	03/19/98				
OPTOMETRY, BOARD OF										
21 NCAC 42	12:06 NCR 453									
21 NCAC 42B .0107	11:18 NCR 1369		11:25 NCR 1917	*	Approve	09/18/97			12:10 NCR 878	
21 NCAC 42E .0102		12:06 NCR 487	12:12 NCR 1058	*						
PHARMACY, BOARD OF										
Narrow Therapeutic Index Drugs										12:14 NCR 1230
21 NCAC 46 .1601	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	Approve	03/19/98				
21 NCAC 46 .1603	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	Approve	02/19/98				
21 NCAC 46 .1604	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	Approve	02/19/98				
21 NCAC 46 .1804	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	State Budget	03/19/98				
21 NCAC 46 .1810	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	Approve	03/19/98	*			
21 NCAC 46 .1813	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*	Approve	02/19/98	*			
21 NCAC 46 .2103	12:03 NCR 168		12:07 NCR 527	*						

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					Action	Date				
			12:09 NCR 797	*						
21 NCAC 46 .2201	12:03 NCR 168		12:07 NCR 527	*						
			12.09 NCR 797	*	Approve	02/19/98	*			
21 NCAC 46 .2301	12:03 NCR 168		12:07 NCR 527	*						
			12:09 NCR 797	*						
PHYSICAL THERAPY EXAMINERS										
21 NCAC 48A .0103	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48A .0105	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48B .0102	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48C .0101	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48C .0102	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48C .0103	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48C .0301	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48C .0302	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48C .0401	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48C .0402	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48D .0102	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48D .0103	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48D .0105	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48D .0106	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48D .0109	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48D .0110	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48D .0112	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48E .0101	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48E .0104	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48E .0110	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48F .0102	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48G .0202	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48G .0203	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48G .0402	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 48G .0403	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48G .0404	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48G .0504	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
21 NCAC 48G .0512	12:08 NCR 619	Agency Withdrew Rule-making								
21 NCAC 48G .0601	12:08 NCR 619		12:13 NCR 1150	*	**Object**	**03/19/98**				
21 NCAC 48H .0701	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98	*			
21 NCAC 48H .0704	12:08 NCR 619		12:13 NCR 1150	*	Approve	03/19/98				
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
21 NCAC 50 .0202	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
21 NCAC 50 .0301	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0306	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0404	12:07 NCR 509	12:07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .0405	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .0506	12:07 NCR 509	12:07 NCR 557								
21 NCAC 50 .0510	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .0511	12:07 NCR 509	12.07 NCR 557	12:16 NCR 1490	*						
21 NCAC 50 .1102	12:07 NCR 509	12:07 NCR 557	12.16 NCR 1490	S						
21 NCAC 50 .1104	12:07 NCR 509		12:16 NCR 1490	*						
21 NCAC 50 .1201	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
21 NCAC 50 .1205	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
21 NCAC 50 .1206	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
21 NCAC 50 .1210	12:07 NCR 509									
21 NCAC 50 .1212	12:07 NCR 509									
21 NCAC 50 .1302	12:07 NCR 509 N/A	N/A	N/A		Approve	02/19/98				
PROFESSIONAL ENGINEERS AND LAND SURVEYORS										

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					Action	Date				
21 NCAC 56 .0103	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0104	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0401	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0403	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0404	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0405	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0501	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0502	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0503	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0505	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0601	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0602	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0603	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0606	12:08 NCR 619		12:16 NCR 1492	S						
21 NCAC 56 .0701	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0702	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0901	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .0902	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1102	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1103	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1104	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1105	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1106	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1201	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1203	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1205	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1301	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1302	12:08 NCR 619		12:16 NCR 1492	*						

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					Action	Date				
21 NCAC 56 .1403	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1409	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1411	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1602	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1603	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1604	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1703	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1704	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1705	12:08 NCR 619		12:16 NCR 1492	*						
21 NCAC 56 .1711	12:08 NCR 619		12:16 NCR 1492	*						
PSYCHOLOGY BOARD										
21 NCAC 54 .1611	12:05 NCR 338									
21 NCAC 54 .1612	12:05 NCR 338									
21 NCAC 54 .1613	12:05 NCR 338									
21 NCAC 54 .2006	12:05 NCR 338									
21 NCAC 54 .2010	12:05 NCR 338									
21 NCAC 54 .2104	12:05 NCR 338									
21 NCAC 54 .2301	12:05 NCR 338									
21 NCAC 54 .2302	12:05 NCR 338									
21 NCAC 54 .2303	12:05 NCR 338									
21 NCAC 54 .2304	12:05 NCR 338									
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									

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					Action	Date				
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338									
21 NCAC 54 .2705	12:05 NCR 338									
21 NCAC 54 .2706	12:05 NCR 338									
PUBLIC EDUCATION										
16 NCAC 06C .0307			12:01 NCR 18	*	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06C .0310			12:01 NCR 18	*						
		12:03 NCR 210								Temp Filed over obj
16 NCAC 06C .0502		12:09 NCR 834	12:19 NCR 1773	N/A						
16 NCAC 06C .0601			12:12 NCR 1050	*	Approve	03/19/98				
16 NCAC 06C .0602			12:12 NCR 1050	*	**Object**	**03/19/98**				
16 NCAC 06D .0103			12:01 NCR 18	*	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06D .0301			12:01 NCR 18	*	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06D .0303			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06D .0305			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06D .0306			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06E .0105		12:05 NCR 433	12:19 NCR 1773	N/A						

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					Action	Date				
16 NCAC 06G .0304			12:01 NCR 18	S	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0305			12:01 NCR 18	*	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06G .0305			12:19 NCR 1773	N/A						
16 NCAC 06G .0306			12:01 NCR 18	*	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06G .0307			12:01 NCR 18	S	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06G .0308			12:01 NCR 18	S	Object	10/16/97				
					Approve	12/18/97	*		12:17 NCR 1620	
16 NCAC 06G .0309			12:01 NCR 18	S	Approve	10/16/97	*		12:11 NCR 947	
16 NCAC 06G .0310			12:19 NCR 1773	N/A						
16 NCAC 06G .0401			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0402			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0403			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0404			12:01 NCR 18	*	Approve	10/16/97			12:11 NCR 947	
16 NCAC 06G .0501		12:12 NCR 1071	12:19 NCR 1773	N/A						
Public School Administration, Standards Board for										
16 NCAC 07 .0201		12:07 NCR 533	12:12 NCR 1052	*	Approve	02/19/98	*			
16 NCAC 07 .0202		12:07 NCR 533	12:12 NCR 1052	*						
16 NCAC 07 .0301		12:07 NCR 533	12:12 NCR 1052	*	Approve	02/19/98				
16 NCAC 07 .0302		12:07 NCR 533	12:12 NCR 1052	*	Approve	02/19/98	*			
16 NCAC 07 .0303		12:07 NCR 533	12:12 NCR 1052	*	Approve	02/19/98	*			
REAL ESTATE COMMISSION										
21 NCAC 58A .0101	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0103	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0104	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0105	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0107	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0108	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0109	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			

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					Action	Date				
21 NCAC 58A .0110	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0114	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0302	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0302	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .0502	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98	*			
21 NCAC 58A .0505	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0506	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0601	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0613	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .0614	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58A .1501	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .1502	10:22 NCR 2829		11:03 NCR 114	*	Object	12/19/96				
					Approve	01/16/97	*		11:22 NCR 1717	
21 NCAC 58A .1702	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58B .0402	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
21 NCAC 58E .0407	12:08 NCR 620		12:13 NCR 1159	*	Approve	03/19/98				
REVENUE										
17 NCAC 01C .0506			11:10 NCR 838	*	Approve	01/16/97	*		11:22 NCR 1717	
17 NCAC 03C .0008			12:14 NCR 1282	*	Approve	03/19/98				
17 NCAC 04B .0615			12:14 NCR 1283	*	Approve	03/19/98				
17 NCAC 04D .0303			12:14 NCR 1283	*	Approve	03/19/98				
17 NCAC 04D .0505			12:14 NCR 1283	*	Approve	03/19/98				
17 NCAC 04D .0508			12:14 NCR 1283	*	Approve	03/19/98				
17 NCAC 04D .0901			12:14 NCR 1283	*	Approve	03/19/98				
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 05E .0101			12:14 NCR 1285	*	Approve	03/19/98				
17 NCAC 05E .0102			12:14 NCR 1285	*	Approve	03/19/98				

CUMULATIVE INDEX

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					Action	Date				
17 NCAC 05E .0103			12:14 NCR 1285	*						
17 NCAC 05E .0105			12:14 NCR 1285	*	Approve	03/19/98				
17 NCAC 06B .0104			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0106			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0107			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0112			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0117			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0118			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .0609			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .3204			12:17 NCR 1610	*						
17 NCAC 06B .3503			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .3526			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .3714			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .3725			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06B .3904			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06C .0201			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 06C .0203			12:14 NCR 1288	*	Approve	03/19/98				
17 NCAC 07B .0104			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .0207			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .0901			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1301			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1404			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1602			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1701			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1702			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1703			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1801			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .1802			12:14 NCR 1296	*	Approve	03/19/98				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
17 NCAC 07B .2201			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .2212			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3104			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3301			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3302			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3303			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3304			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3305			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3306			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3901			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .3910			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 07B .4301			12:14 NCR 1296	*	Approve	03/19/98				
17 NCAC 09I .0102			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09I .0304			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09J .0203			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09K .0205			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09K .0511			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09K .0513			12:14 NCR 1310	*	Approve	03/19/98				
17 NCAC 09L .0302			12:17 NCR 1610	*						
Tax Review Board										12:04 NCR 228
Tax Review Board										12:05 NCR 336
Tax Review Board										12:12 NCR 990
Tax Review Board										12:15 NCR 1416
Tax Review Board										12:19 NCR 1753
SECRETARY OF STATE										
18 NCAC 06 .1104		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1205		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1206		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
18 NCAC 06 .1211		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	*			
18 NCAC 06 .1212		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1304		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1401		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1410		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1411		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	*			
18 NCAC 06 .1412		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1506		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1509		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1702		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1703		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1704		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	*			
18 NCAC 06 .1705		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1706		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1712		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	*			
18 NCAC 06 .1713		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1714		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1801		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	*			
18 NCAC 06 .1802		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1803		12:07 NCR 534	12:14 NCR 1312	*						
18 NCAC 06 .1804		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98	8			
18 NCAC 06 .1805		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
18 NCAC 06 .1806		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1809		12:07 NCR 534	12:14 NCR 1312	*	Approve	03/19/98				
18 NCAC 06 .1811		12:07 NCR 534	12:14 NCR 1312	*	**Object**	**03/19/98**				
SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS										
21 NCAC 64 .0209	11:23 NCR 1780		12:05 NCR 427	*	Approve	01/15/98			12:21 NCR 1886	
21 NCAC 64 .0303	11:23 NCR 1780									

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 64 .1001	11:23 NCR 1780		12:05 NCR 427	*	Approve	01/15/98			12:21 NCR 1886	
21 NCAC 64 .1002	11:23 NCR 1780		12:05 NCR 427	*	Object	11/20/97				
					No response	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
21 NCAC 64 .1003	11:23 NCR 1780		12:05 NCR 427	*	Approve	01/15/98			12:21 NCR 1886	
21 NCAC 64 .1004	11:23 NCR 1780		12:05 NCR 427	*	Object	11/20/97				
					No response	12/18/97				
					Approve	01/15/98	*		12:21 NCR 1886	
21 NCAC 64 .1005	11:23 NCR 1780		12:05 NCR 427	*	Approve	01/15/98	*		12:21 NCR 1886	
STATE PERSONNEL COMMISSION										
25 NCAC 01D .2501		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2503		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2504		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2505		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2507		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2508		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2509		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97			12:10 NCR 878	
25 NCAC 01D .2511		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2513		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2514		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01D .2516		11:13 NCR 1062 Temp Expired	11:19 NCR 1429	*						
25 NCAC 01D .2517		12:09 NCR 835								
25 NCAC 01E .0705	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01E .0707	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97	*		12:10 NCR 878	
25 NCAC 01E .0709	11:14 NCR 1110		11:19 NCR 1434	*	Approve	09/18/97			12:10 NCR 878	
SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD										

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
21 NCAC 68	12:09 NCR 745									
21 NCAC 68 .0101		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0301		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0302		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0303		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0304		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0305		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0306		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0307		12:11 NCR 944	12:15 NCR 1426	S/L						
21 NCAC 68 .0602	12:09 NCR 745		12:15 NCR 1426	S/L						
21 NCAC 68 .0603	12:09 NCR 745		12:15 NCR 1426	S/L						
21 NCAC 68 .0608	12:09 NCR 745		12:15 NCR 1426	S/L						
TRANSPORTATION										
Highways, Division of										
19A NCAC 02B .0164	11:20 NCR 1537		11:26 NCR 1991	*	Object	07/17/97				
					Approve	08/21/97			12:07 NCR 561	
19A NCAC 02B .0242	11:26 NCR 1986		12:03 NCR 207	*	Approve	10/16/97			12:11 NCR 947	
19A NCAC 02B .0303	11:26 NCR 1986		12:03 NCR 207	*	Approve	10/16/97			12:11 NCR 947	
19A NCAC 02D .0415	11:20 NCR 1537		11:26 NCR 2004	*	Approve	07/17/97			12:04 NCR 317	
19A NCAC 02D .0415	12:18 NCR 1694									
19A NCAC 02D .0816	12:19 NCR 1764									
19A NCAC 02E .0218	12:05 NCR 337		12:12 NCR 1053	*	Approve	03/19/98				
19A NCAC 02E .0219	12:05 NCR 337		12:12 NCR 1053	*	Approve	03/19/98				
19A NCAC 02E .0220	12:05 NCR 337		12:12 NCR 1053	*	Approve	03/19/98				
19A NCAC 02E .0221	12:05 NCR 337		12:12 NCR 1053	*	Approve	03/19/98	*			
19A NCAC 02E .0222	12:05 NCR 337		12:12 NCR 1053	*	Approve	03/19/98	*			
Motor Vehicles, Division of										
19A NCAC 03D .0525		12:08 NCR 729	12:14 NCR 1333	*	Approve	03/19/98				
19A NCAC 03I .0100	11:19 NCR 1413									

Agency/Rule Citation	Rule-making Proceedings	Temporary Rule	Notice of Text	Fiscal Note	RRC Status		Text differs from proposal	Effective by Governor	Approved Rule	Other
					Action	Date				
19A NCAC 031 .0200	11:19 NCR 1413									
19A NCAC 031 .0202	12:18 NCR 1695									
19A NCAC 031 .0203	12:18 NCR 1695									
19A NCAC 031 .0300	11:19 NCR 1413									
19A NCAC 031 .0400	11:19 NCR 1413									
19A NCAC 031 .0500	11:19 NCR 1413									
19A NCAC 031 .0501	12:18 NCR 1695									
19A NCAC 031 .0502	12:18 NCR 1695									
19A NCAC 031 .0503	12:18 NCR 1695									
19A NCAC 031 .0600	11:19 NCR 1413									
19A NCAC 031 .0700	11:19 NCR 1413									
19A NCAC 031 .0800	11:19 NCR 1413									
19A NCAC 03J .0102	11:11 NCR 882		11:17 NCR 1340	*	Approve	02/20/97	*		11:24 NCR 1832	
19A NCAC 03J .0306	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97				
					Approve	03/20/97	*		11:26 NCR 2004	
19A NCAC 03J .0308	11:11 NCR 882		11:17 NCR 1340	*	Object	02/20/97				
					Approve	03/20/97	*		11:26 NCR 2004	
19A NCAC 03J .0601	11:11 NCR 882		11:17 NCR 1340	*	Approve	02/20/97	*		11:24 NCR 1832	

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Title 1 - Dept. of Administration - Complete Title	**201 00 001**	**$90.00**
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