Agenda Item: 18-65 Request to Proceed to Public Notice and Hearings with Re-adoptions and Proposed Amendments for Laboratory Certification Rules 15A NCAC 02H .0800 and Fiscal Note and for Biological Certification Rules 15A NCAC 02H .1100 and Regulatory Impact Analysis

Explanation: The Division of Water Resources (DWR) Water Sciences Section is requesting to proceed to the Environmental Management Commission (EMC) with proposed amendments to laboratory certification rules in 15A NCAC 02H, Sections .0800 and .1100. The rules along with other DWR water quality program rules underwent the S.L. 2013-413 (HB74) rule review during 2014 that resulted in the rules needing to be readopted through the state's rulemaking process. During 2015, DWR hosted a set of stakeholder meetings, presented each rule draft to stakeholders, and incorporated stakeholder input into the rule drafts. Then, the Department of Environmental Quality (DEQ) administration reviewed the rule drafts during 2016. An information session was provided to the Water Quality Committee (WQC) in March 2017, and to the stakeholders in April 2017. The WQC approved the draft of these rules in May 2017. Subsequently, the Rules Review Committee pre-reviewed the draft rules and changes were made based upon their recommendations. DWR staff will present the rules to the WQC and ask for approval to send them and their Regulatory Impact Analysis and Fiscal Note, if appropriate to the November 2018 EMC meeting to request approval to proceed to the public comment and hearing.

Recommendation: Request that the Environmental Management Commission approve these rules to proceed to Public Notice and Hearings with Proposed Rule Re-adoptions and Proposed Amendments for Laboratory Certification Rules 15A NCAC 02H .0800 including the Fiscal Impact Analysis approved by OSBM and Biological Laboratory Certification Rules 15A NCAC 02H.1100 with the Regulatory Impact Analysis approved by OSBM