

**G.S. 150B-21.3A Report for Subchapter 41D, ENERGY POLICY ACT CREDIT BANKING AND SELLING PROGRAM**

Agency - Department of Environmental Quality

Comment Period - February 26, 2018 - May 7, 2018

Date Submitted to APO - December 17, 2018

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 - GENERAL PROVISIONS	01 NCAC 41D .0101	PURPOSE AND ORGANIZATION	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 41D .0102	DEFINITIONS	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0200 - CREDIT BANKING AND SELLING PROGRAM PROVISIONS	01 NCAC 41D .0201	BANKING	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 41D .0202	SELLING	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 - PROCEEDS AND DISTRIBUTION	01 NCAC 41D .0301	PROCEEDS AND DISTRIBUTION	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		01 NCAC 41D .0302	FUND DISBURSEMENTS	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 - REPORTS	01 NCAC 41D .0401	REPORTS	Eff. May 1, 2007	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	The Energy Policy and Conservation Act of 1975 (P.L. 94-163); The Energy Conservation and Production Act of 1976 (p.L. 94-385); The State Energy Efficiency Programs Improvement Act of 1990 (P.L. 101-440); and The Energy Policy Act (EPA) of 1992 (P.L. 102-486).	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt