

**G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300-.0900 and .3400**

Agency - Marine Fisheries Commission

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

Date Submitted to APO - January 22, 2019

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
SUBCHAPTER 18A - SANITATION 7:20A27-247:64	SECTION .0100 - HANDLING, PACKING, AND SHIPPING OF CRUSTACEA MEAT	15A NCAC 18A .0134	DEFINITIONS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0135	PERMITS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0136	APPLICABILITY OF RULES	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0137	GENERAL REQUIREMENTS FOR OPERATION	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0138	SUPERVISION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0139	FACILITY FLOODING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0140	FLOORS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0141	WALLS AND CEILINGS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0142	LIGHTING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0143	VENTILATION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0144	INSECT CONTROL	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0145	RODENT AND ANIMAL CONTROL	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0146	PREMISES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0147	WATER SUPPLY	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0148	ICE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0149	PLUMBING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0150	SEWAGE DISPOSAL	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0151	TOILETS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
15A NCAC 18A .0152	SOLID WASTE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 18A .0153	PERSONAL HYGIENE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 18A .0154	EMPLOYEES' PERSONAL ARTICLES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 18A .0155	SUPPLY STORAGE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 18A .0156	EQUIPMENT AND UTENSIL CONSTRUCTION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 18A .0157	FACILITY AND EQUIPMENT SANITATION	Eff. October 1, 1992	Necessary with substantive public interest	No	Yes If yes, include the citation to the federal law	21 CFR 178.1010 (March 16, 1977)	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
15A NCAC 18A .0158	EQUIPMENT STORAGE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		

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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
		15A NCAC 18A .0159	SEPARATION OF OPERATIONS	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0160	RAW CRUSTACEA RECEIVING AND REFRIGERATION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0161	CRUSTACEA COOKING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0162	COOKED CRUSTACEA AIR-COOL	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0163	COOKED CRUSTACEA REFRIGERATION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0164	COOKED CRUSTACEA PICKING	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0165	PACKING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0166	PICKED CRUSTACEA MEAT REFRIGERATION	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0167	DELIVERY WINDOW OR SHELF	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0168	SINGLE-SERVICE CONTAINERS	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0169	FREEZING	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0170	SHIPPING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0171	WHOLE CRUSTACEA OR CRUSTACEA PRODUCTS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0172	COOKED CLAW SHIPPING CONDITIONS	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0173	REPACKING	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0174	PASTEURIZATION PROCESS CONTROLS - THERMOMETERS	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0175	PREPARATION OF CRUSTACEA MEAT FOR PASTEURIZATION	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0176	PASTEURIZATION OF CRUSTACEA MEAT	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0177	LABELING OF PASTEURIZED CRUSTACEA MEAT	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0178	INTERFACILITY PASTEURIZATION PROCEDURES	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0179	RECALL PROCEDURE	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0180	SAMPLING AND TESTING	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0181	EMBARGO OR DISPOSAL OF COOKED CRUSTACEA OR CRUSTACEA MEAT	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0182	BACTERIOLOGICAL AND CONTAMINATION STANDARDS	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0183	ALTERNATIVE LABELING	Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		15A NCAC 18A .0184	THERMAL PROCESSING CONTROLS - THERMOMETERS	Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0185	THERMAL PROCESSING OF CRUSTACEA AND CRUSTACEA MEAT	Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0186	LABELING OF THERMALLY PROCESSED CRUSTACEA OR CRUSTACEA MEAT	Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0187	INTERFACILITY THERMAL PROCESSING PROCEDURES	Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0188	HAZARD ANALYSIS	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0189	HACCP PLAN	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0190	SANITATION MONITORING REQUIREMENTS	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0191	MONITORING RECORDS	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0300 – SANITATION OF SHELLFISH - GENERAL</b>	15A NCAC 18A .0301	DEFINITIONS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0302	PERMITS	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0303	RELAYING PERMITS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0304	DEPURATION HARVESTING PERMITS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0305	APPEALS PROCEDURE	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0400 – SANITATION OF SHELLFISH - GENERAL OPERATION STANDARDS</b>	15A NCAC 18A .0401	APPLICABILITY OF RULES	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0402	GENERAL REQUIREMENTS FOR OPERATION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0403	SUPERVISION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0404	CONSTRUCTION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0405	PLANT LOCATION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0406	FLOORS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0407	WALLS AND CEILINGS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0408	LIGHTING	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0409	VENTILATION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0410	FLY CONTROL	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0411	RODENT AND ANIMAL CONTROL	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		15A NCAC 18A .0412	PLUMBING	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0413	WATER SUPPLY	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0414	TOILET FACILITIES	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0415	WASTE DISPOSAL	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0416	PERSONAL HYGIENE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0417	LOCKERS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0418	SUPPLY STORAGE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0419	HARVEST BOATS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0420	TRANSPORTING SHELLSTOCK	Amended Eff. May 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0421	DAILY RECORD	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0422	SHELLSTOCK CLEANING	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0423	SALE OF LIVE SHELLSTOCK	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0424	SHELLFISH RECEIVING	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0425	TAGGING	Amended Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0426	BULK SHIPMENTS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0427	SHELLSTOCK STORAGE	Amended Eff. May 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0428	SAMPLING AND TESTING	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0429	STOPSALE OR DISPOSAL OF SHELLFISH	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0430	BACTERIOLOGICAL STANDARDS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0431	STANDARDS FOR AN APPROVED SHELLFISH GROWING AREA	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0432	PUBLIC DISPLAY OF CONSUMER ADVISORY	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0433	HAZARD ANALYSIS	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0434	HACCP PLAN	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0435	SANITATION MONITORING REQUIREMENTS	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0436	MONITORING RECORDS	Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300-.0900 and .3400**

Agency - Marine Fisheries Commission

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

Date Submitted to APO - January 22, 2019

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 .0500 - OPERATION OF SHELLSTOCK PLANTS AND RESHIPPIERS	15A NCAC 18A .0501	GENERAL REQUIREMENTS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0502	GRADING SHELLSTOCK	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0503	GRADER	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0504	RESHIPPIERS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0600 - OPERATION OF SHELLFISH SHUCKING AND PACKING PLANTS AND REPACKING	15A NCAC 18A .0601	GENERAL REQUIREMENTS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0602	SEPARATION OF OPERATIONS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0603	HOT WATER SYSTEM	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0604	HANDWASHING FACILITIES	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0605	DELIVERY WINDOW OR SHELF	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0606	NON-FOOD CONTACT SURFACES	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0607	SHUCKING BENCHES	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0608	EQUIPMENT CONSTRUCTION	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0609	SANITIZING EQUIPMENT	Amended Eff. December 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0610	EQUIPMENT SANITATION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0611	EQUIPMENT STORAGE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0612	ICE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0613	SHELLFISH SHUCKING	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0614	CONTAINERS	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0615	SHELLFISH COOLING	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0616	SHELLFISH FREEZING	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0617	SHIPPING	Amended Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0618	HEAT SHOCK METHOD OF PREPARATION OF SHELLFISH	Amended Eff. August 1, 2002	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0619	REPACKING OF SHELLFISH	Amended Eff. December 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0620	SHELLFISH THAWING AND REPACKING	Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300-.0900 and .3400**

Agency - Marine Fisheries Commission

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

Date Submitted to APO - January 22, 2019

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
		15A NCAC 18A .0621	RECALL PROCEDURE	Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0700 - OPERATION OF DEPURATION (MECHANICAL PURIFICATION) FACILITIES	15A NCAC 18A .0701	GENERAL REQUIREMENTS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0702	FACILITY SUPERVISION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0703	FACILITY DESIGN AND SANITATION	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0704	LABORATORY PROCEDURES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0705	FACILITY OPERATIONS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0706	SHELLFISH SAMPLING PROCEDURES	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0707	DEPURATION PROCESS WATER CONTROL - SAMPLING PROCEDURES	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0708	DEPURATION TREATMENT PROCESS WATER - STANDARDS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0709	DEPURATION - SHELLFISH MEAT STANDARDS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0710	ULTRAVIOLET UNIT	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 18A .0711	SHELLSTOCK STORAGE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	15A NCAC 18A .0712	DEPURATION - TAGGING AND RELEASE OF SHELLFISH	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	15A NCAC 18A .0713	DEPURATION - RECORDS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
	SECTION .0800 - WET STORAGE OF SHELLSTOCK	15A NCAC 18A .0801	GENERAL REQUIREMENTS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0802	PLANT DESIGN: SANITATION AND WET STORAGE	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0803	WET STORAGE WATER	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0804	SHELLSTOCK CLEANING	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0805	WET STORAGE TANKS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0806	SHELLSTOCK CONTAINERS	Eff. February 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0900 - CLASSIFICATION OF SHELLFISH GROWING WATERS	15A NCAC 18A .0901	DEFINITIONS	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0902	CLASSIFICATION OF SHELLFISH GROWING WATERS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0903	SANITARY SURVEY	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0904	APPROVED AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300-.0900 and .3400**

Agency - Marine Fisheries Commission

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

Date Submitted to APO - January 22, 2019

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
		15A NCAC 18A .0905	CONDITIONALLY APPROVED AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0906	RESTRICTED AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0907	PROHIBITED AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0908	UNSURVEYED AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0909	BUFFER ZONE	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0910	RECLASSIFICATION	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0911	MARINAS: DOCKING FACILITIES: OTHER MOORING AREAS	Amended Eff. July 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0912	SHELLFISH MANAGEMENT AREAS	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0913	PUBLIC HEALTH EMERGENCY	Eff. June 1, 1989	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .0914	LABORATORY PROCEDURES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .3400 - COASTAL RECREATIONAL WATERS MONITORING, EVALUATION, AND	15A NCAC 18A .3401	DEFINITIONS	Eff. February 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3402	BACTERIOLOGICAL LIMITS FOR SWIMMING AREAS	Eff. February 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3403	PUBLIC NOTICE OF INCREASED HEALTH RISKS IN SWIMMING AREAS	Eff. February 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3404	SWIMMING ADVISORIES FOR POINT SOURCE DISCHARGES INTO SWIMMING AREAS	Eff. January 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3405	RESCINDING A SWIMMING ADVISORY OR SWIMMING ALERT	Eff. January 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3406	DESTRUCTION OF SIGNS	Eff. January 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 18A .3407	APPLICABILITY OF RULES	Eff. January 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt