

EX/1 EN/2-24/ 4-4-25

NORTH CAROLINA REGISTER

JUN 01 1999

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June 1, 1999

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Labor - OSH Permanent Variance Filing
Voting Rights Letters
Agriculture
Environment and Natural Resources
Foresters, Board of Registration
Health and Human Services
Rules Review Commission
Contested Case Decisions

PUBLISHED BY

*The Office of Administrative Hearings
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PO Drawer 27447
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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.

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Raleigh, North Carolina 27605

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Joint Legislative Administrative Procedure Oversight Committee

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Raleigh, North Carolina 27611

(919) 715-5460 FAX

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marys@ms.ncga.state.nc.us

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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

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NORTH CAROLINA REGISTER

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through May 10, 1999.

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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
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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
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(April 1999 - January 2000)

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volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact			
					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	
13:19	04/01/99	03/11/99	06/01/99	04/16/99	05/03/99	05/20/99	05/09/00	05/31/99	06/21/99	05/09/00	270 th day from issue date
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00
13:21	05/03/99	04/12/99	07/15/99	05/18/99	06/02/99	06/21/99	05/09/00	07/02/99	07/20/99	05/09/00	01/28/00
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13:23	06/01/99	05/10/99	08/02/99	06/16/99	07/01/99	07/20/99	05/09/00	08/02/99	08/20/99	05/09/00	02/26/00
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14:04	08/16/99	07/26/99	10/15/99	08/31/99	09/15/99	09/20/99	05/09/00	10/15/99	10/20/99	05/09/00	05/12/00
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14:09	11/01/99	10/11/99	01/04/00	11/16/99	12/01/99	12/20/99	05/09/00	12/31/99	01/20/00	05/09/00	07/28/00
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14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00

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	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ul style="list-style-type: none"> (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. <p>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.</p>	<p>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.</p> <p>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.</p>	<p>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.</p> <p>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT: The date of the next issue following the end of the comment period.</p>	<p>EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p>END OF REQUIRED COMMENT PERIOD</p> <ul style="list-style-type: none"> (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. <p>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.</p> <p>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.</p>

**EXECUTIVE ORDER NO. 150
SUPPORT FOR HISTORICALLY
UNDERUTILIZED BUSINESSES**

WHEREAS, it is North Carolina's collective expectation that all citizens of the state will be given equal opportunities to participate in providing State government with the goods and services it requires; and

WHEREAS, it is my expectation, as Governor of the State, that this will be accomplished without regard to race, gender, or disabling condition; and

WHEREAS, when the General Assembly set the purchasing policy for the State, it encouraged State agencies to provide contracting opportunities for small and historically underutilized businesses (hereinafter "HUBs") as defined in North Carolina General Statutes § 143-48; and

WHEREAS, it is my desire that a coordinated effort is undertaken to eliminate any barriers which may have acted as impediments to equal opportunities for HUBs in doing business with the State.

NOW, THEREFORE, by the power vested in me as Governor by the laws and Constitution of North Carolina, IT IS ORDERED:

Section 1. Creation of the Office for Historically Underutilized Businesses in the Office of the Secretary of Administration

There is hereby established in the Office of the Secretary of the North Carolina Department of Administration, the Office for Historically Underutilized Businesses (hereinafter "HUBs Office").

Section 2. HUBs Office Responsibilities

The HUBs Office is charged with the responsibilities of:

- a. providing technical assistance to HUB vendors. This assistance shall include training and counseling to HUB vendors as they seek opportunities to do business with the State through the Division of Purchase and Contract, the State Construction Office, the State Property Office, or the individual agency, department, university, community college or local school system (hereinafter "agency").
- b. working with agency purchasing officers and agency capital projects coordinators to share information about opportunities to do business with HUB vendors. In order to accomplish this task, the HUBs Office shall prepare a data base and directory containing the names of HUB vendors known to it who are interested in doing business with the State or local agencies.
- c. coordinating with HUB vendors, agency purchasing officers and agency capital projects coordinators to identify and eliminate barriers or constraints that may restrict HUB vendors from doing business with the State or local agencies.
- d. developing positive relationships with North Carolina

trade and professional organizations such as the North Carolina Citizens for Business and Industry and the Carolinas Associated General Contractors and encouraging HUB vendors to do the same, so that the business needs and concerns of HUBs are made aware to these larger business entities, which may advise and assist HUBs in doing business with the State.

Section 3. Data Collection and Analysis

The HUBs Office shall collect data from each agency in order to analyze the State and local agencies' purchasing practices with regard to contracting with HUBs. This data shall capture all contracts for goods and services from each agency, and indicate all HUB participation in those contracts, even as subcontractors to a principal contractor.

The HUBs Office shall be responsible for development of a uniform reporting format after consultation with the Secretary of Administration, the State Controller and the HUBs Advisory Council. The State Purchasing Officer, the Director of the State Construction Office, the Director of the State Property Office, and each agency head shall provide quarterly reports in accordance with the uniform reporting format, and any other requested information, to the HUBs Office for the implementation of this program. A list of all agencies which have so reported shall be included in the quarterly report established below to be submitted to the Governor.

The North Carolina Accounting System located within the Office of the State Controller may assist the HUBs Office in the collection and analysis of purchasing data. The HUBs Office shall be responsible for reporting that information to the Governor on a quarterly basis. The first report shall be presented to the Governor by August 15 of this year. Thereafter, each report shall be due six weeks after the end of the calendar quarter.

Section 4. Creation of the HUBs Advisory Council

- a. There is created a HUBs Advisory Council to assist the Secretary and the HUBs Office by providing advice on matters that relate to the furtherance of the objectives of this Executive Order.
- b. The Council shall consist of the following members:
 - (1) the Governor's Advisor for Minority and Community Affairs;
 - (2) the State Purchasing Officer;
 - (3) the Director of the State Construction Office;
 - (4) the Director of the State Property Office;
 - (5) the Executive Director of the North Carolina Council for Women;
 - (6) the Director of the Office of Hispanic/Latino Affairs;
 - (7) the Executive Director of the Governor's Advocacy Council for Persons with Disabilities;
 - (8) the Executive Director of the North Carolina State Commission of Indian Affairs;
 - (9) the Chief Purchasing Officer of each of the respective Cabinet agencies, The University of North Carolina, the Department of Community Colleges, and the

Department of Public Instruction;

- (10) three HUB owners, one of which shall be a minority, one of which shall be a female, and one of which shall be an owner with a disability;
- (11) two representatives of non-profit organizations having knowledge of and expertise in HUB activity;
- (12) a chief executive officer or chief financial officer of a large non-HUB business entity that either:
 - (a) sells goods or services to the State, or
 - (b) provides construction or repair work for State buildings.
- c. Each agency head shall designate from his or her staff a HUBs Coordinator who will act as the liaison between the HUBs Office and the respective agency.
- d. The HUBs Advisory Council shall meet on a semiannual basis or more frequently at the call of the Secretary of Administration.

Section 5. State Contracts

Each agency should strive to increase the total amount of goods and services acquired by it from HUB vendors, whether directly as principal contractors or indirectly as subcontractors or otherwise. It is expected that at least eight percent, by dollar amount, of the State's purchases of goods and services during fiscal year 1999-2000 and at least ten percent during fiscal year

2000-2001 will be derived from HUB vendors.

The HUBs Office shall assist each agency in developing a plan and providing technical assistance to reach the set objectives related to the purchase of goods and services.

The State Purchasing Officer, the Director of the State Construction Office and the Director of the State Property Office shall continue to implement guidelines and procedures that ensure that the State's contracts contain specific requirements that compel contractors doing business with the State to comply with federal Equal Employment Opportunity requirements or their equivalent.

Section 6. Prior Orders

Executive Order No. 77 executed by former Governor James G. Martin is abolished and superseded by this Order. All prior Executive Orders or portions of Executive Orders inconsistent herewith are hereby rescinded.

This order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of April, 1999.

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.

North Carolina Department of Labor
Division of Occupational Safety and Health
4 West Edenton Street
Raleigh, NC 27601

(919) 807-2900

NOTICE OF PERMANENT VARIANCE FILING

The Commissioner of Labor hereby gives notice that he is considering, in accordance with GS 95-132(b), an application for a permanent variance from Broyhill Furniture Industries, Inc. The Variance, if granted, would allow Broyhill to use Type D Ford A-62 and Caterpillar 1T28F front-end wheel-loaders, under the conditions specified in Broyhill's November 13, 1998 application, and in accordance with Factory Mutual Engineering's certification of equipment modifications and procedures. This permission is granted solely for the operation of uncovering the wood conveyance system for maintenance in Broyhill's Miller Hill Wood Reclaim Storage Building at Lenoir, North Carolina. Unless the Variance is granted, the usage of this equipment in these environments would be prohibited by 29 CFR 1910.178(c)(2)(vii), which has been adopted by reference by the North Carolina Division of Occupational Safety and Health.

Interested persons are invited to submit comments regarding the consideration of the granting of this variance. Affected employees and employers may request a public hearing.

For additional information regarding this Variance application, to submit comments, or to request that a public hearing be held, please contact:

Jack R. Forshey
North Carolina Department of Labor
Division of Occupational Safety and Health
4 West Edenton Street
Raleigh, NC 27601
(919)807-2881

All comments and requests must be submitted on or before July 5, 1999.

U.S. Department of Justice

Civil Rights Division

EJ:GS:KIF:cly
DJ 166-012-3
99-0472

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

April 21, 1999

Richard Rose, Esq.
Poyner & Spruill
P.O. Box 353
Rocky Mount, NC 27802.

Dear Mr. Rose:

This refers to the annexation (Ordinance No. 0-98-86) and its designation to Ward 5 of the City of Rocky Mount in Edgecombe and Nash Counties, 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 23, 1999.

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

U.S. Department of Justice

Civil Rights Division

EJ:VLO:NT:par
DJ 166-012-3
99-0574

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

May 3, 1999

Robert C. Cogswell, Jr., Esq.
City Attorney
P.O. Box 1513
Fayetteville, NC 28302-1513

Dear Mr. Cogswell:

This refers to 15 annexations (Ordinance Nos. 421-425 (1997) and 426-435 (1998)) and the 1998 redistricting plan for the City of Fayetteville in Cumberland 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 March 3, 1999.

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 2 - DEPARTMENT OF AGRICULTURE

CHAPTER 52 - VETERINARY DIVISION

Notice of Rule-making Proceedings is hereby given by the North Carolina Board of Agriculture in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rules 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: 2 NCAC 52B .0302; 52E .0209. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 106-389; 106-396; 106-416

Statement of the Subject Matter: These rules establish requirements for brucellosis testing of cattle offered for public sale. Proposed changes would allow sale and movement of cattle without testing if the cattle originated from a brucellosis-free state.

Reason for Proposed Action: The State Veterinarian has determined that it is unnecessary to test cattle for brucellosis prior to sale or prior to removal from a public livestock market if the cattle originated from a brucellosis-free state. This will facilitate movement of cattle and avoid the expense of unnecessary testing.

Comment Procedures: Written comments may be submitted to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.

course of the rule-making process.

Authority for the rule-making: G.S. 143-211; 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1); 143-215.6A; 143-215.6B; 143-215.6C; 143-282(d).

Statement of the Subject Matter: To establish requirements in the following subject areas to achieve a 30 percent reduction in nitrogen loading to the Pamlico estuary from nonpoint sources in the Tar-Pamlico basin, and to hold phosphorus loading from nonpoint sources to 1991 levels: agriculture, urban stormwater, nutrient management (fertilizer application), protection of riparian areas, and atmospheric emissions of ammonia. Please see attached draft rules for all subject areas except atmospheric emissions of ammonia. These are based on concepts developed to date on these subjects by teams of stakeholders. We encourage comments not only on the draft text, but any comments on the general subjects as stated here.

Reason for Proposed Action: In 1989, after several years of excessive fish kills in the Pamlico estuary, the NC Environmental Management Commission (EMC) designated the Tar-Pamlico River basin as a Nutrient Sensitive Waters. The EMC initially adopted a nutrient reduction strategy that targeted point sources. In 1994, the EMC expanded its focus to nonpoint sources, or rainfall runoff-generated pollution sources. It adopted a strategy for the basin that called for a 30 percent reduction in nitrogen inputs from nonpoint sources to the estuary, and holding of phosphorus loads at 1991 levels. The strategy relied on existing, largely voluntary, programs to reduce nitrogen inputs from nonpoint sources to the basin. In September 1998, the EMC determined that progress under the voluntary approach was unsatisfactory and that mandatory actions were needed for timely reduction of NPS nitrogen inputs. The EMC approved a rule-making schedule for development of mandatory measures to achieve both the nitrogen and phosphorus goals. This is the first public notice of this proposed rule-making.

Comment Procedures: The purpose of this announcement is to encourage those interested in this rulemaking to provide written comments. We encourage comments not only on the draft rules that are attached, but also on the entire subject area as stated here. Written comments may be submitted to Rich Gannon, DENR, Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535. Questions may be directed to Rich Gannon at (919) 733-5083 ext. 356, or rich_gannon@h2o.enr.state.nc.us.

TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

Notice of Rule-making Proceedings is hereby given by the Environmental Management 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 2B .0255-.0262. Other rules may be proposed in the

AGRICULTURE

A team met to develop a Rule that will achieve the basin nitrogen and phosphorus goals from agriculture. The team held a total of seven meetings.

PARTICIPANTS

Team meetings had high attendance, with an average of 26 people at each meeting. The following groups were represented: seven industry associations, five commercial interests, numerous individual farmers, many local agriculture offices, four state/federal agencies, two environmental interests, and university professors.

MAJOR ISSUES DISCUSSED

- Comparison of the merits of a Neuse "local option" approach relative to an "all farms" alternative
- Agriculture's contribution to NPS nitrogen and phosphorus loading in the basin.
- Agriculture's nutrient load reduction progress to date through voluntary efforts.
- The accounting tool that the agencies plan to use, the Nutrient Loss Estimation Worksheet.
- Who should be covered by the Rule.
- How to address the potential for increases in phosphorus loading from 1991 levels due to animal waste application.
- Agricultural nutrient management requirements, as described in the nutrient management section of this report.
- Use a zero acre threshold as in the Neuse agriculture Rule, and clearly include horticulture.

DECISIONS REACHED

- Use the Neuse agriculture Rule as a template, including both the local strategy and standard BMP options.
- On potential loading from soluble phosphorus:
 - The science on soluble phosphorus currently contains gaps that present management challenges.
 - Federal agricultural policy related to this issue is currently evolving; USDA-NRCS may release new phosphorus management policy in the near future.
 - Any Rules to limit waste application based on phosphorus measures could involve significant new costs to agriculture.
- Require the Basin Oversight Committee to appoint a technical advisory committee to monitor advances in scientific understanding related to phosphorus loading issues. The TAC will report its findings to the Basin Oversight Committee and the EMC on an annual basis.
- The team agreed to encourage local agriculture agencies in the basin to begin advocating site-specific phosphorus analysis and BMP implementation on a voluntary basis until phosphorus management requirements are established.
- The team identified difficulties related to estimating the nitrogen load from agriculture in 1991 (the baseline load), from which reductions are to be measured. The team also identified issues associated with current methods of load reduction accounting, and with accounting alternatives. It was unable to resolve these challenging technical issues, which may have significant bearing on implementation of the agricultural Rules in both the Neuse and Tar-Pamlico basins, in the available time. The team agreed to request that the EMC form an Agriculture Nutrient Accounting Task Force as detailed below.

ISSUES ON WHICH CONSENSUS WAS NOT REACHED

None.

STEERING COMMITTEE COMMENTS

In addition to offering clarifications to Rule language, the Steering Committee expressed the following concerns over the agriculture team's draft.

- An implementation deadline of 4 years is unrealistic.
- One year is inadequate time for Local Advisory Committees to assemble all of the information required for local strategies.
- Language tying BMP requirements to USDA-NRCS standards should be removed; NRCS standards are federal policy that changes frequently, which would create implementation problems.

| A subgroup of the agricultural team offered responses as detailed below.

AGRICULTURE NUTRIENT ACCOUNT TASK FORCE

The agriculture stakeholder team recommends that the EMC convene a task force, to be referred to as the "Agriculture Nutrient Accounting Task Force", to develop recommendations on certain aspects of the proposed Rules affecting agriculture in the Tar-Pamlico basin. The task force should evaluate alternative methods for developing nitrogen and phosphorus baseline loading and alternative methods of nitrogen and phosphorus reduction accounting. More specifically, the task force should evaluate at least the following issues: the potential for using a more recent year than 1991 as baseline year; and agricultural Rule implementation based on the concept of "tolerable nitrogen loss". The task force should consist of agricultural stakeholders from the Tar-Pamlico basin and persons with agricultural technical backgrounds. It should report findings back to the EMC within one year from the date of its establishment.

RESPONSES TO THE STEERING COMMITTEE'S CONCERNS

The agriculture team chose not to meet in the brief remaining time to address the issues raised by the Steering Committee. DWQ staff held additional discussions with the Division of Soil and Water Conservation and the NC Farm Bureau Federation, and made the following determinations:

- Raise the goal attainment date to 5 years, as in the Neuse (the 4-year deadline was concurrent with the end of Phase II of the NSW strategy, and was based in the idea that significant BMP implementation had already occurred under the voluntary plan, which would allow more rapid achievement of reduction goals than in the Neuse basin).
- Remove references to NRCS standards; tie BMP requirements to SWCC standards only, which change less frequently following greater scrutiny than NRCS standards.

The following Rules reflect agreements reached by the agriculture team.

.0255 TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT LOADING GOALS

All persons engaging in agricultural operations in the Tar-Pamlico River Basin, including those related to crops, horticulture, livestock, and poultry, shall collectively achieve and maintain the following nutrient loading levels:

- (1) a 30 percent total nitrogen net loading reduction from 1991 loading from agriculture to the basin; and
- (2) no net increase in total phosphorus loading over 1991 levels.

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 Tar-Pamlico River Basin. A management strategy to achieve this reduction is specified in Rule .02__ of this Rule.

.0256 TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: AGRICULTURAL NUTRIENT CONTROL STRATEGY

(a) PURPOSE. The purpose of this Rule is to set forth a process by which agricultural operations in the Tar-Pamlico River Basin will collectively achieve and maintain a 30 percent reduction in nitrogen loading to the Pamlico estuary from agricultural activities. This reduction is to be achieved within five years of the effective date of this Rule, and is to be measured from 1991 loading levels. The purpose of this Rule is also for agricultural operations to hold phosphorus loading from agricultural activities to 1991 levels within five years. The Commission acknowledges that the requirements of this Rule do not fully address nitrogen loading from animal operations, including atmospheric emissions and deposition of ammonia

compounds. As information becomes available on nitrogen loading from animal operations and BMPs to control this loading, the Commission may require such BMPs it deems necessary to support the purpose of this Rule.

(b) APPLICABILITY. This Rule shall apply to all persons engaging in agricultural operations in the Tar-Pamlico River Basin. Agricultural operations are activities that relate to the production of crops, horticultural products, livestock, and poultry.

(c) OPTIONS FOR MEETING RULE REQUIREMENTS. Persons subject to this Rule are provided with two options for meeting the requirements of this Rule. Such persons shall be responsible for implementing and maintaining the BMPs selected per Item (5) or (6) for as long as they continue their agricultural operation.

- (1) Option 1 is to sign up for and participate in implementing a collective local strategy for agricultural nutrient control pursuant to Item (5) of this Rule. This option allows site-specific plans to be developed for those operations where further nitrogen and phosphorus reduction practices are necessary to achieve the collective loads.

- (2) Option 2 is to implement standard BMPs pursuant to Item (6) of this Rule. Requirements for the BMPs are listed in Items (7) through (11) of this Rule.

(d) METHOD FOR RULE IMPLEMENTATION. This Rule shall be implemented through a cooperative effort between the Basin Oversight Committee and Local Advisory Committees in each county or watershed. The membership, roles and responsibilities of these committees are set forth in Items (12) and (13) of this Rule.

(e) OPTION 1: PARTICIPATE IN A COLLECTIVE LOCAL STRATEGY FOR AGRICULTURAL NUTRIENT CONTROL. Persons who choose to participate in the collective

local strategy for agricultural nutrient control shall meet the following requirements.

- (1) Within one year of the effective date of the Rule, persons shall sign up with the Local Advisory Committee for their county or watershed to participate in the collective local strategy. Persons who do not complete the sign-up process shall be subject to Option 2 set forth in Item (6) of this Rule.
 - (2) Persons who choose this option shall sign a plan developed for their operation that is satisfactory to their Local Advisory Committee per the requirements set forth in Sub-Item (13)(c).
 - (3) A person may withdraw from the local nutrient control strategy up until the time that the person signs a plan for his operation as described in Sub-Item (b) above. Persons who do not sign the plan shall be subject to Option 2 pursuant to Item (6) of this Rule.
 - (4) Persons who sign the plan for their operation shall be required to implement the plan within five years after the effective date of this Rule and to permanently maintain the BMPs specified in the plan for as long as the agricultural operation continues.
 - (5) Persons who implement a nutrient management plan as part of Option 1 shall have satisfied the requirements of the Tar-Pamlico Nutrient Management Rule, 15A NCAC 2B .0257.
- (f) **OPTION 2: IMPLEMENT STANDARD BEST MANAGEMENT PRACTICES (BMPs).** Option 2 shall apply to the following persons: persons who choose to follow this option, persons who do not complete the sign-up process for Option 1 within one year of the effective date of this Rule, and persons who sign up for Option 1 but withdraw prior to signing the specific plan for their operation. The requirements associated with Option 2 are as follows.
- (1) Persons subject to Option 2 shall implement one of the following BMP combinations on all lands within their operation within four years of the effective date of this Rule:
 - (A) A 30-foot forested riparian area meeting the requirements of Items (7) and (8) and a 20-foot vegetated riparian area meeting the requirements of Items (7) and (9); or
 - (B) A 30-foot vegetated riparian area meeting the requirements of Items (7) and (9) and either water control structures meeting the requirements of Item (10) or a nutrient management plan meeting the requirements of Item (11); or
 - (C) A 20-foot forested riparian area meeting the requirements of Items (7) and (8) and either water control structures meeting the requirements of Item (10) or a nutrient management plan meeting the requirements of Item (11); or
 - (D) Water control structures meeting the requirements of Item (10) and a nutrient management plan meeting the requirements of Item (11).

(g) **REQUIREMENTS FOR FORESTED AND VEGETATED RIPARIAN AREAS.** Forested and vegetated riparian areas implemented under either Option 1 or Option 2 shall meet the following requirements.

- (1) Sheet flow must be maintained to the maximum extent practical through dispersal of concentrated flow and re-establishment of vegetation to maintain the effectiveness of the riparian area.
- (2) Concentrated runoff from new ditches or manmade conveyances must be dispersed into sheet flow before the runoff enters any riparian area.
- (3) Periodic corrective action to restore sheet flow should be taken by the landowner if necessary to impede the formation of erosion gullies that allow concentrated flow to bypass treatment in the riparian area.
- (4) A vegetated riparian area may be substituted for an equivalent width of forested riparian area within 100 feet of tile drainage.
- (5) Where the riparian area requirements would result in an unavoidable loss of tobacco allotments [(7 CFR 723.220(c)] and the BMPs of controlled drainage or nutrient management are not in place, forest cover is required only in the first 20 feet of the riparian area.
- (6) The following practices and activities are not allowed in either the forested riparian area or the vegetated riparian area:
 - (A) Any activities that would result in water quality standard violations or disrupt the structural or functional integrity of the riparian areas.
 - (B) Land disturbing activity and placement of fill and other materials, other than that necessary under Item (8) of this Rule.
 - (C) Any activity that threatens the health and function of the vegetation including, but not limited to, application of fertilizer or chemicals in amounts exceeding the manufacturer's recommended rate, uncontrolled sediment sources on adjacent lands, and the creation of any areas with bare soil.
- (7) The following waterbodies and land uses are exempt from the riparian area requirements of this Rule:
 - (A) Ditches and manmade conveyances, other than modified natural streams, which under normal conditions do not receive drainage waters from any tributary ditches, canals, or streams, unless the ditch or manmade conveyance delivers runoff directly to waters classified in accordance with 15A NCAC 2B .0100.
 - (B) Areas mapped as perennial streams, intermittent streams, lakes, ponds or estuaries on the most recent versions of United States Geological Survey 1:24,000 scale (7.5 minute quadrangle) topographic maps where no perennial or intermittent streams, lakes, ponds, or estuaries exist on the ground.
 - (C) Ponds and lakes created for animal watering, irrigation, or other agricultural uses that are not

part of a natural drainage way that is classified in accordance with 15A NCAC 2B .0100.

- (D) Water dependent structures as defined in 15A NCAC 2B .0202, provided that they are located, designed, constructed and maintained to provide maximum nutrient removal, to have the least adverse effects on aquatic life and habitat and to protect water quality.
- (E) Stream restoration projects, scientific studies, stream gauging, water wells, passive recreation facilities such as boardwalks, trails, pathways, historic preservation and archaeological activities, provided that they are located, designed, constructed and maintained to provide the maximum nutrient removal and erosion protection, to have the least adverse effects on aquatic life and habitat, and to protect water quality to maximum extent practical through the use of BMPs.
- (F) Stream crossings associated with timber harvesting, if performed in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209).

(h) SPECIFICATIONS FOR FORESTED RIPARIAN AREAS. Forested riparian areas implemented under either Option 1 or Option 2 shall meet the following specifications.

- (1) Forested riparian areas shall be established on all sides of surface waters indicated as intermittent streams, perennial streams, lakes, ponds and estuaries on the most recent versions of U.S.G.S. 1:24,000 scale (7.5 minute quadrangle) topographic maps or other site-specific evidence. The surface waters shall be within the operation or adjacent to it within the distances specified in Sub-Item (6)(a) above.
- (2) The forested riparian area shall begin at top of bank for intermittent streams and perennial streams without tributaries and shall extend landward the applicable distance specified in Sub-Item (6)(a) above on all sides of the waterbody, measured horizontally on a line perpendicular to the waterbody. For all other waterbodies, the forested riparian area shall begin at top of bank or mean high water line and shall extend landward the applicable distance specified in Sub-Item (6)(a) above, measured horizontally on a line perpendicular to the waterbody.
- (3) Forested riparian areas shall be established as undisturbed forest. Any forest vegetation that exists on the effective date of this Rule in forested riparian areas that are established per this Rule must be preserved and maintained in accordance with Sub-Items (8)(e)(i)-(vi) below.
- (4) The application of fertilizer in forested riparian areas established under this Rule is prohibited.
- (5) The following practices and activities are allowed in forested riparian areas established under this Rule.
 - (A) Natural regeneration of forest vegetation and planting vegetation to enhance the riparian area if disturbance is minimized, provided that any

plantings should primarily consist of locally native trees and shrubs.

- (B) Selective cutting of trees provided that the basal area (measured as 12-inch diameter breast height) remains at or above 60 square feet per acre of riparian area. Limited mechanized equipment is allowed in this area.
- (C) Horticulture practices to maintain the health of individual trees.
- (D) Removal of individual trees that are in danger of causing damage to dwellings, other structures, or the stream channel.
- (E) Removal of dead trees and other timber cutting techniques necessary to prevent extensive pest or disease infestation if recommended by the Director, Division of Forest Resources and approved by the Director, Division of Water Quality.
- (F) Timber removal and skidding of trees, as allowed under Sub-Items (8)(e)(i) - (8)(e)(v) shall be directed away from the water course or water body. Skidding shall be done in a manner to prevent creation of ephemeral channels perpendicular to the water body. Tree removal shall be performed in a manner that does not compromise the intended purpose of the riparian area and in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209).

(i) SPECIFICATIONS FOR VEGETATED RIPARIAN AREAS. Vegetated riparian areas implemented under either Option 1 or Option 2 shall meet the following specifications.

- (1) The vegetated riparian area identified in Sub-Item (6)(a)(i) shall begin at the outer edge of the forested riparian area and shall extend landward a minimum of 20 feet as measured horizontally on a line perpendicular to the waterbody. The vegetated riparian area identified in Sub-Item (6)(a)(ii) shall begin at the top of bank for intermittent streams and perennial streams without tributaries and shall extend landward a minimum of 30 feet on each side of the waterbody, measured horizontally on a line perpendicular to the waterbody. For all other waterbodies, the vegetated riparian area identified in Sub-Item (6)(a)(ii) shall begin at the top of bank or the mean high water line and shall extend landward 30 feet, measured horizontally on a line perpendicular to the waterbody.
- (2) Vegetation in the vegetated riparian area shall consist of a dense ground cover composed of herbaceous or woody species, which provides for diffusion and infiltration of runoff and filtering of pollutants.
- (3) The following practices and activities are allowed in the vegetated riparian area in addition to those allowed in the forested riparian area.
 - (A) Mowing and removal of plant products such as timber, nuts, and fruit on a periodic basis, provided the intended purpose of the riparian

area is not compromised by harvesting, disturbance, or loss of ground cover.

- (B) Management of forest vegetation to minimize shading on adjacent land, if the water quality functions of the riparian area are not compromised.

(j) **REQUIREMENTS FOR WATER CONTROL STRUCTURES.** Water control structures implemented under either Option 1 or Option 2 shall meet the following requirements.

- (1) Water control structures shall be operated pursuant to a water control structure management plan developed according to the standards and specifications adopted by the NC Soil and Water Conservation Commission. A technical specialist designated pursuant to Rules adopted by the Soil and Water Conservation Commission must provide written approval that the water management plan meets such standards and specifications. If the water management plan is not implemented, then a riparian area is required pursuant to this Section.
- (2) The water control structures must provide equivalent protection and directly affect the land and waterbodies draining into the waterbody subject to the riparian area requirements.
- (3) To the maximum extent practical, water control structures should be managed to maximize nitrogen removal throughout the year.

(k) **REQUIREMENTS FOR NUTRIENT MANAGEMENT PLANS.** Nutrient management plans implemented under either Option 1 or Option 2 shall meet the following requirements.

- (1) Nutrient management plans shall be implemented on agricultural land adjacent to riparian areas according to the standards and specifications adopted by the NC Soil and Water Conservation Commission. A technical specialist designated pursuant to Rules adopted by the Soil and Water Conservation Commission must provide written approval that the water management plan meets such standards and specifications.
- (2) If the nutrient management plan is not implemented, then a riparian area is required pursuant to this Section.
- (3) Nutrient management plans must provide equivalent protection and directly affect the land and waterbodies draining into the waterbody subject to the riparian area requirement.
- (4) To the maximum extent practical, nutrient management plans should be managed to maximize nitrogen removal throughout the year.

(l) **BASIN OVERSIGHT COMMITTEE.** The Basin Oversight Committee shall have the following membership, role and responsibilities.

- (1) **MEMBERSHIP.** The Commission shall delegate to the Secretary the responsibility of forming a Basin Oversight Committee within 2 months of the effective date of this Rule. Members shall be appointed for five-year terms and shall serve at the pleasure of the

Secretary. Until such time as the Commission determines that long-term maintenance of the nutrient loads is assured, the Secretary shall either reappoint members or replace members every five years. The Secretary shall solicit one nomination for membership on this Committee to represent each of the following:

- (A) Division of Soil and Water Conservation.
- (B) United States Department of Agriculture-Natural Resources Conservation Service (shall serve in an "ex-officio" non-voting capacity and shall function as a technical program advisor to the Committee),
- (C) North Carolina Department of Agriculture and Consumer Services.
- (D) North Carolina Cooperative Extension Service.
- (E) Division of Water Quality.
- (F) Environmental interests.
- (G) Agricultural interests, and
- (H) The scientific community with experience related to water quality problems in the Tar-Pamlico River Basin.

(b) **ROLE.** The Basin Oversight Committee shall:

- (A) Develop a tracking and accounting methodology pursuant to Sub-Item (12)(c), and submit the final version to the Commission within one year of the effective date of this Rule.
- (B) Demonstrate within 18 months of the effective date of this Rule how the nitrogen and phosphorus loads can be met by each county or watershed and collectively by implementing BMPs.
- (C) Identify and implement future refinements to the accountability methodology as needed to reflect advances in scientific understanding.
- (D) Appoint a technical advisory committee within 6 months of the effective date of this Rule to monitor advances in scientific understanding related to phosphorus loading, to evaluate the need for additional management action to meet the phosphorus load, and to report its findings to the Basin Oversight Committee on an annual basis. The Basin Oversight Committee shall in turn report these findings and its recommendations to the Commission on an annual basis following the effective date of this Rule, until such time as the Commission determines that the technical advisory committee has fulfilled its purpose. The Basin Oversight Committee shall solicit nominations for this committee from the Division of Soil and Water Conservation, United States Department of Agriculture-Natural Resources Conservation Service, North Carolina Department of Agriculture and Consumer Services, North Carolina Cooperative Extension Service, Division of Water Quality, environmental interests, agricultural interests,

and the scientific community with experience related to the committee's charge.

- (E) Review, approve and summarize county or watershed local strategies and present these strategies to the Commission for approval within 2 years after the effective date of this Rule.
- (F) Review, approve and summarize local nitrogen and phosphorus loading annual reports and present these reports to the Commission each October, until such time as the Commission determines that annual reports are no longer needed to assure long-term maintenance of the nutrient loads.
- (3) ACCOUNTABILITY PROCESS. The Basin Oversight Committee shall develop an accountability process that meets the following requirements:
 - (A) The process shall quantify baseline total nitrogen and phosphorus loadings from agricultural operations in each county and for the entire basin.
 - (B) The process shall allocate the calculated nitrogen and phosphorus loads for agricultural operations to counties or watersheds within the Tar-Pamlico basin.
 - (C) The process shall include a means of tracking implementation of BMPs, including location, type, area affected.
 - (D) The process shall include a means of estimating incremental nitrogen and phosphorus reductions from actual BMP implementation and of evaluating progress toward the nutrient loads from BMP implementation.
 - (E) The process shall allow for future refinements to the nutrient baseline loading determinations, and to the load reduction accounting methodology.
 - (F) The process shall provide for quantification of changes in nutrient loading due to changes in land use, modifications in agricultural activity, or quantification of atmospheric nitrogen loading.
 - (G) The process shall include a method to track maintenance of the nutrient net loads after the initial five years of this Rule, including tracking of changes in BMPs and additional BMPs to offset new or increased sources of nutrients from agricultural operations.
 - (H) A draft accountability process shall be submitted to the Commission within six months after the effective date of the Rule. The final accountability process shall be submitted to the Commission for approval within one year after the effective date of the Rule. If the Commission does not approve the final accountability process, the Basin Oversight Committee will have an additional

three months to revise and resubmit the process to the Commission. If the Commission does not approve an accountability process within 15 months of the effective date of this Rule, then the Commission may require all agricultural operations to follow Option 2 set forth in Item (5) of this Rule.

(m) LOCAL ADVISORY COMMITTEES. The Local Advisory Committees shall have the following membership, roles, and responsibilities.

- (1) MEMBERSHIP. The Commission shall delegate to the Directors of the Division of Water Quality and the Division of Soil and Water Conservation the responsibility of forming Local Advisory Committees within two months of the effective date of this Rule. The Directors shall form Local Advisory Committees in each county (or watershed as specified by the Basin Oversight Committee) within the Tar-Pamlico River Basin. Members shall serve for terms of five years at the pleasure of the Environmental Management and Soil and Water Conservation Commissions. Until such time as the Commission determines that long-term maintenance of the nutrient loads is assured, the Directors shall reappoint or replace members every five years. The Directors shall solicit nominations for membership on the Local Advisory Committee that represent each of the following interests:

- (A) Local Soil and Water Conservation District (one),
- (B) Local United States Department of Agriculture- Natural Resources Conservation Service (one),
- (C) Local North Carolina Department of Agriculture and Consumer Services (one),
- (E) Local North Carolina Cooperative Extension Service (one),
- (F) Local North Carolina Division of Soil and Water Conservation (one),
- (G) Local farmers in the county or watershed (at least two).

- (2) ROLE. The Local Advisory Committees shall:

- (A) Conduct a sign-up process for persons wishing to voluntarily implement the local strategy pursuant to Item (5) of this Rule. This sign-up process shall be completed within one year after the effective date of this Rule.
- (B) Designate a member agency to compile and retain copies of all individual plans produced under Item (5) of this Rule.
- (C) Develop local nutrient control strategies for agricultural operations, pursuant to Sub-Item (13)(c) of this Rule, to meet the nitrogen and phosphorus loads assigned by the Basin Oversight Committee. Those strategies shall be submitted to the Basin Oversight Committee no later than twenty-three months from the effective date of this Rule.

- (D) Ensure that any changes to the design of the local strategy will continue to meet the nutrient loads of this Rule.
 - (E) Submit annual reports to the Basin Oversight Committee, pursuant to Sub-Item (13)(d) of this Rule, each May until such time as the Commission determines that annual reports are no longer needed to assure long-term maintenance of the nutrient loads.
- (3) **LOCAL NUTRIENT CONTROL STRATEGIES.** The Local Advisory Committees shall be responsible for developing county or watershed nutrient control strategies that meet the following requirements.
- (A) Local nutrient control strategies shall be designed to achieve the required nitrogen and phosphorus loads within five years after the effective date of this Rule, and to maintain those reductions in perpetuity or until such time as this Rule is revised to modify this requirement.
 - (B) Local nutrient control strategies shall specify the names and locations of all agricultural operations within their areas, numbers and acres of BMPs that will be implemented by enrolled operations, estimated nitrogen and phosphorus reductions, schedule for BMP implementation, and operation and maintenance requirements.
 - (C) Local nitrogen control strategies are not required to be more stringent than the standard BMP option provided that the nutrient loads is achieved collectively; however, the Local Advisory Committees may develop strategies that achieve greater reductions than the nutrient loads.
- (D) If the Local Advisory Committee fails to develop the local nutrient control strategy, the Commission may develop the strategy based on the tracking and accounting method approved by the Commission.
- (4) **ANNUAL REPORTS.** The Local Advisory Committees shall be responsible for submitting annual reports for their counties or watersheds. Annual reports shall be submitted to the Basin Oversight Committee each May until such time as the Commission determines that annual reports are no longer needed to assure long-term maintenance of the nutrient loads. Annual reports should include the following information on local agricultural operations, summarized separately for cropland, livestock and poultry activities:
- (A) Documentation of BMPs implemented (including type, location, and area affected) under the local strategy and their costs.
 - (B) Documentation of BMPs discontinued under the local strategy.
 - (C) Changes in land use or agricultural activity and any associated increases or decreases in nitrogen and phosphorus loading resulting from these changes.
 - (D) Documentation of success in operation and maintenance of BMPs under the local strategy.
 - (E) Net nitrogen and phosphorus loading changes from agricultural operations under the local strategy, and progress towards or maintenance of the nitrogen and phosphorus loads.
 - (F) Requests for modifications to accounting practices or nutrient loads.

NUTRIENT MANAGEMENT

Two separate teams developed the nutrient management Rule. The agriculture team addressed nutrient management on agricultural lands as part of their discussions. A separate nutrient management team addressed fertilizer application on non-agricultural lands. The agriculture team held a total of seven meetings and the non-agriculture team a total of three.

PARTICIPANTS

- The agriculture team meetings had strong attendance, with an average of 26 people attending each meeting. The attendees represented seven industry associations, five commercial interests, numerous individual farmers, many local agriculture offices, four state/federal agencies, two environmental interests, and academia.
- The meetings of the nutrient management team for non-agricultural lands had low attendance. The participants represented two industry groups and two state agencies.

MAJOR ISSUES DISCUSSED

- The agriculture team discussed these issues related to nutrient management:
 - Types of agricultural activities and parties to include.
 - The need to add a phosphorus component to nutrient management training.
- The nutrient management team for non-agricultural lands discussed these issues:
 - The source types that the nutrient management Rule should target, such as golf courses, local government holdings, easements, homes, and businesses.
 - The adequacy of Neuse Nutrient Management Rule as a template.
 - Who should be covered by the Rule based on acreage of nutrient application.
 - Management options and training components.

**DECISIONS
REACHED**

- The agriculture team agreed to use the Neuse Nutrient Management Rule requirements with two additions:
 - Add crop consultants as a regulated group.
 - Add a phosphorus component to nutrient management training.
- The nutrient management team for non-agricultural lands agreed to use the Neuse Nutrient Management with the following two modifications:
 - Eliminate the 50-acre threshold used in the Neuse Nutrient Management Rule for non-agricultural lands
 - Exempt residential homeowners who apply nutrients to their own lawns.

**ISSUES ON WHICH
CONSENSUS WAS
NOT REACHED**

The agriculture team did not reach consensus on who would be covered by the Rule based on acreage of nutrient application. There was strong interest in reducing the threshold to zero acres, but there was also concern over unnecessary administrative costs to track, train, or write plans for numerous small operations. The team agreed to send two alternatives to the EMC: one would propose a zero acre threshold and limit requirements to commercial agriculture, while the second would keep the 50-acre threshold utilized in the Neuse Nutrient Management Rule.

**STEERING
COMMITTEE
COMMENTS**

The Steering Committee was concerned with holding agricultural plans to USDA-NRCS standards, which change frequently. Other comments called for various clarifications in Rule language. DWQ staff agreed to address these points, and neither team met again.

Two alternative nutrient management Rules are provided below to reflect the teams' agreements.

ALTERNATIVE 1

**.0257 TAR-PAMLICO RIVER BASIN NUTRIENT
SENSITIVE WATERS MANAGEMENT
STRATEGY: NUTRIENT MANAGEMENT**

(a) **PURPOSE.** The two primary purposes of this Rule are: to reduce the nitrogen loading and to maintain the phosphorus loading to the Pamlico estuary resulting from fertilizer application. Achievement of these objectives will be measured based on 1991 loading levels and are to be achieved within five years from the effective date of this Rule.

(b) **APPLICABILITY.** This Rule shall apply as follows.

(1) This Rule shall apply to the following persons who apply nutrients to their lands:

- (A) Persons who own or manage cropland areas that together comprise at least 50 acres that have not developed a nutrient management plan for their property pursuant to 15A NCAC 2B .0256.
- (B) Persons who own or manage floriculture areas, ornamental areas and greenhouse production areas that together comprise at least 50 acres.
- (C) Persons who own or manage golf courses, recreational lands, rights-of-way, or other turfgrass areas.
- (D) Persons who own or manage lawn and garden areas in residential, commercial, or industrial developments except for residential landowners who apply fertilizer to their own property.

(2) This Rule shall apply to applicators hired by the persons listed in Sub-Item (2)(a). Sub-Item (3)(b) sets forth the potential requirements for applicators.

(3) This Rule shall apply to applicators, hired by residential landowners, who apply fertilizer to residential areas in the Tar-Pamlico basin.

(4) This Rule shall apply to consultants hired by the persons listed in Sub-Item (2)(a) or by applicators. Sub-Item (3)(c) sets forth the requirements for consultants.

(c) **REQUIREMENTS.** Subject persons shall meet the following requirements:

- (1) Persons responsible for applying nutrients to their own land or land that they manage shall either:
 - (A) Attend and successfully complete nutrient management training pursuant to Item (4), or
 - (B) Complete a nutrient management plan for all lands to which they apply or manage the application of nutrients, pursuant to Item (5).
- (2) Persons who hire an applicator to apply nutrients to the land that they own or manage shall either:
 - (A) Ensure that the applicator they hire has attended and successfully completed nutrient management training pursuant to Item (4), or
 - (B) Ensure that the applicator they hire has completed a nutrient management plan for the land that they own or manage pursuant to Item (5), or
 - (C) Complete a nutrient management plan for the land that they own or manage pursuant to Item (5) and ensure that the applicator they hire follows this plan.
- (3) Applicators, hired by residential landowners, who apply fertilizer to residential areas in the Tar-Pamlico

basin shall attend and successfully complete nutrient management training pursuant to Item (4).

- (4) Consultants who prepare nutrient management plans for persons who own or manage land or who apply nutrients to land in the Tar-Pamlico basin shall attend and successfully complete nutrient management training pursuant to Item (4).

(d) **NUTRIENT MANAGEMENT TRAINING.** Persons who choose to meet this Rule's requirements by completing nutrient management training shall meet the following requirements.

- (1) Within one year from the effective date of this Rule, the person shall sign up with the Cooperative Extension Service or the Division to take the nutrient management training.
- (2) Within five years from the effective date of this Rule, the person shall obtain a certificate from the Cooperative Extension Service or the Division verifying completion of training that addresses, at minimum, proper management of nitrogen and phosphorus.
- (3) Persons who fail to sign up or to obtain the nutrient management certificate within the required timeframes shall be required to develop and properly implement nutrient management plans pursuant to Item (5).
- (4) Training certificates must be kept on-site or be produced within 24 hours of a request by the Division.

(e) **NUTRIENT MANAGEMENT PLANS.** Persons who choose to meet this Rule's requirements by completing a nutrient management plan shall meet the following requirements.

- (1) Within five years of the effective date of this Rule, a nutrient management plan that meets the following standards shall be developed:
 - (A) Nutrient management plans for cropland shall meet the standards and specifications adopted by the NC Soil and Water Conservation Commission.
 - (B) Nutrient management plans for application of dry poultry litter from animal waste management systems involving 30,000 or more birds, as required under NC Statute §143-215.10C(f), shall stipulate application of litter at agronomic rates for nitrogen. Agronomic rates shall be based on realistic yield expectations derived from waste nutrient content, crop and soil type, or yield records.
 - (C) Nutrient management plans for turfgrass shall follow the North Carolina Cooperative Extension Service guidelines in "Water Quality and Professional Lawn Care" (NCCES publication number WQMM-155), "Water Quality and Home Lawn Care" (NCCES publication number WQMM-151), or guidelines distributed by land-grant universities. Copies may be obtained from the Division of Water Quality, 512 North Salisbury

Street, Raleigh, North Carolina 27626 at no cost.

- (D) Nutrient management plans for nursery crops and greenhouse production shall follow the Southern Nurserymen's Association guidelines promulgated in "Best Management Practices Guide For Producing Container-Grown Plants" or guidelines distributed by land-grant universities. Copies may be obtained from the Southern Nurserymen's Association, 1000 Johnson Ferry Road, Suite E-130, Marietta, GA 30068-2100 at a cost of thirty-five dollars (\$35.00). The materials related to nutrient management plans for turfgrass, nursery crops and greenhouse production are hereby incorporated by reference including any subsequent amendments and editions and are available for inspection at the Department of Environment and Natural Resources Library, 512 North Salisbury Street, Raleigh, North Carolina.

- (2) The person who writes the nutrient management plan shall have the plan approved in writing by a technical specialist. Appropriate technical specialists shall be as follows.

- (A) Nutrient management plans for cropland and application of dry poultry litter shall be approved by a technical specialist designated pursuant to Rules adopted by the Soil and Water Conservation Commission.
- (B) Nutrient management plans for turfgrass and nursery crops and greenhouse production shall be approved by a technical specialist designated pursuant to Rules adopted by the Commission.

- (3) Nutrient management plans and supporting documents must be kept on-site or be produced within 24 hours of a request by the Division.
- (4) The Division shall develop model nutrient management plans in consultation with the Cooperative Extension Service. The model plans shall address both nitrogen and phosphorus, and shall address the source of nutrients, the amount of nutrient applied, the placement of nutrients, and the timing of nutrient applications.

(f) **COMPLIANCE.** Persons who fail to comply with this Rule are subject to enforcement measures authorized in G.S. 143-215.6A (civil penalties), G.S. 143-215.6B (criminal penalties), and G.S. 143-215.6C (injunctive relief).

ALTERNATIVE 2

Same as alternative 1 with the exception of (2)(a), which would read:

- (a) **APPLICABILITY.** This Rule shall apply as follows.
 - (1) This Rule shall apply to the following persons who apply nutrients to their lands:

- | | |
|---|--|
| <p>(A) Persons who own or manage cropland areas for commercial purposes that have not developed a nutrient management plan for their property pursuant to 15A NCAC 2B .0256.</p> <p>(B) Persons who own or manage commercial floriculture areas, ornamental areas and greenhouse production areas.</p> <p>(C) Persons who own or manage golf courses,</p> | <p>recreational lands, rights-of-way, or other turfgrass areas.</p> <p>(D) Persons who own or manage lawn and garden areas in residential, commercial, or industrial developments except for residential landowners that apply fertilizer to their own property.</p> |
|---|--|

URBAN STORMWATER

A team met to develop a Rule that will achieve the basin nitrogen and phosphorus goals from urban stormwater. The team held a total of seven meetings.

PARTICIPANTS

Team meetings had variable attendance. Altogether, five state agencies, five local governments, three industry groups, one environmental organization, and one university professor participated.

MAJOR ISSUES DISCUSSED

- The significance of urban stormwater as a source of nutrients to the estuary.
- Best management practices that treat stormwater.
- Concerns with the Neuse Stormwater Rule as a template.
- Which local governments should be covered by the Rule.
- Requirements for existing and new development.

DECISIONS REACHED

- The team determined that the portion of the basin land area identified as urban underrepresents the significant contribution of stormwater from developed areas to the total nonpoint source nutrient load to the estuary.
- The team agreed to the requirements of the Neuse Stormwater Rule, except for the two following changes.
 - It established specific thresholds for the size of local governments affected by the Rule: 5,000 for municipalities or 30,000 for counties. This encompasses 83% of the basin's population. It also added an automatic threshold; local governments will become subject to the Rule once they reach these thresholds.
 - It added two elements to the local governments' stormwater management programs: a requirement to prioritize potential retrofit sites and a requirement to map municipal storm sewer and sanitary sewer systems.

ISSUES ON WHICH CONSENSUS WAS NOT REACHED

- The team did not agree on specific nutrient reduction requirements for new development. Some team members felt that they lacked adequate information on the economic impacts of nutrient requirements to make informed decisions. Since the team did not develop an alternative approach for controlling nutrients from new development, the Rule language below reflects that used in the Neuse Stormwater Rule with values adjusted for the Tar-Pamlico basin.
- The team did not agree on whether to require structural retrofitting of existing development. Some team members felt that the Rule would not achieve its objectives without requirements to address runoff from existing development. Others felt that retrofitting would be too expensive and difficult to require. The team agreed to additional requirements for existing development as described in the second bullet above, short of requiring structural retrofitting.

STEERING COMMITTEE COMMENTS

The Steering Committee raised some technical questions about Rule implementation. However, it had no significant concerns with the team's proposed stormwater Rule.

The following Rule language reflects stormwater team consensus with exceptions noted above.

.0258 TAR-PAMLICO RIVER BASIN-NUTRIENT SENSITIVE WATERS MANAGEMENT

STRATEGY: BASINWIDE STORMWATER REQUIREMENTS

(a) PURPOSE. The purpose of this Rule is to achieve a 30 percent reduction in nutrient loading from existing and new developments. The purpose of this Rule is also to provide control for peak flows in new development to ensure that the functions of existing riparian buffers are not compromised by channel erosion.

(b) APPLICABILITY. This Rule shall apply to local governments in the Tar-Pamlico basin according to the following criteria.

(1) This Rule shall apply to the following municipal areas:

- (A) Greenville
- (B) Henderson
- (C) Oxford
- (D) Rocky Mount
- (E) Tarboro
- (F) Washington

(2) This Rule shall apply to the following counties:

- (A) Beaufort
- (B) Edgecombe
- (C) Franklin
- (D) Halifax
- (E) Nash
- (F) Pitt

(3) Additional local governments shall become subject to this Rule upon meeting the following criteria:

(A) Active incorporated municipal areas with populations exceeding 5,000 persons according to the most recent population estimates listed in the most recent annual publication of *North Carolina Municipal Populations*, Office of State Planning. If a municipal area has only a portion of its area within the Tar-Pamlico River basin, then the percentage of the municipality's area within the basin shall be multiplied by the population estimate; if the result is less than 5,000, then the municipal area shall not be subject to this Rule.

(B) Counties with populations exceeding 30,000 persons according to the population estimates listed in the most recent annual publication *North Carolina Municipal Populations*, Office of State Planning. If a county has only a portion of its area within the Tar-Pamlico River basin, then the percentage of the county's area within the basin shall be multiplied by the population estimate; if the result is less than 30,000, then the county shall not be subject to this Rule.

(c) REQUIREMENTS. All local governments subject to this Rule shall develop stormwater management programs for submission to and approval by the Commission. The stormwater program shall include the following components at a minimum:

(1) A requirement that developers submit a stormwater management plan for all new developments proposed within their jurisdictions. These stormwater plans shall not be approved by the subject local governments unless the following criteria are met:

(A) The nitrogen load contributed by the proposed new development activity shall not exceed 4.0 pounds per acre per year. This is equivalent to 70 percent of the average nitrogen load contributed by the non-urban areas in the Tar-Pamlico River basin based on 1995 land use data. The Commission may periodically update the design standard based on the availability of new scientific information.

(B) The phosphorus load contributed by the proposed new development activity shall not exceed 0.4 pounds per acre per year. This is equivalent to the average phosphorus load contributed by the non-urban areas in the Tar-Pamlico River basin based on 1995 land use data. The Commission may periodically update the design standard based on the availability of new scientific information.

(C) The new development activity does not result in a net increase in peak flow leaving the site from the predevelopment conditions for the 1-year, 24-hour storm.

(2) A public education program to inform citizens of how to reduce nutrient pollution and to inform developers about the nutrient and flow control requirements set forth in Sub-Item (3)(a)(i).

(3) A mapping program that includes major components of the municipal separate storm sewer system, waters of the State, land use types, and location of sanitary sewers.

(4) A program to identify and remove illegal discharges.

(5) A program to identify and prioritize opportunities to achieve nutrient reductions from existing developed areas.

(6) A program to ensure maintenance of BMPs implemented as a result of the provisions in Sub-Items (3)(a) and (3)(e).

(7) A program to ensure enforcement and compliance with the provisions in Sub-Item (3)(a).

(d) TIMEFRAME FOR IMPLEMENTATION. The timeframe for implementing the stormwater management program shall be as follows:

(1) Within 12 months of the effective date of this Rule, the Division shall submit a model local stormwater program to the Commission for approval. The Division shall work in cooperation with subject local governments in developing this model program.

(2) Within 12 months of the Commission's approval of the model local stormwater program or within 12 months of a local government's later designation pursuant to Sub-Item (2)(c), subject local governments shall submit their local stormwater management programs to the Commission for review and approval. These local programs shall equal or exceed the requirements in Item (3) of this Rule.

(3) Within 18 months of the Commission's approval of the model local stormwater program or within 18 months of a local government's later designation

pursuant to Sub-Item (2)(c), subject local governments shall adopt and implement their approved local stormwater management program.

- (4) Local governments administering a stormwater management program shall submit annual reports to the Division documenting their progress and net changes to nitrogen load by October 30 of each year.

(e) COMPLIANCE. A local government that fails to submit an acceptable local stormwater management program within the timeframe established in this Rule or fails to implement an approved program shall be in violation of this Rule. In this case, the stormwater management requirements for its jurisdiction shall be administered through the NPDES municipal stormwater permitting program per 15A NCAC 2H .0126. Any local government that is subject to an NPDES municipal stormwater permit pursuant to this Rule shall:

- (1) Develop and implement comprehensive stormwater management program to reduce nutrients from both existing and new development. This stormwater management program shall meet the requirements of Item (3) of this Rule for new and existing development.
- (2) Be subject to the NPDES permit for at least one permitting cycle (five years) before it is eligible to submit a local stormwater management program to the Commission for consideration and approval.

RIPARIAN AREA PROTECTION

The Steering Committee agreed to pursue Rulemaking to protect existing riparian areas, as was done in the Neuse basin. In 1998 under House Bill 1402, the General Assembly called for establishment of a stakeholder advisory committee to revise the Neuse basin's riparian area protection Rule, 15A NCAC 2B .0233. The Steering Committee agreed to monitor the progress of the Neuse Buffer Stakeholder Advisory Committee, and to convene a similar team for the Tar-Pamlico basin only if it found significant deficiencies with these efforts. A separate team was not convened for the Tar-Pamlico basin.

DWQ staff recommends that the EMC send a Riparian Buffer Rule for the Tar-Pamlico basin, with the same provisions as the Neuse Riparian Buffer Rule (with appropriate modifications for the Tar-Pamlico basin), out to public hearings along with the other draft Rules in this report. That set of Rules follows.

.0259 TAR-PAMLICO RIVER BASIN NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS

(a) PURPOSE. The purpose of this Rule shall be to protect and preserve riparian buffers in the Tar-Pamlico River Basin to maintain their nutrient removal functions.

(b) DEFINITIONS. For the purpose of this Rule, these terms shall be defined as follows.

- (1) 'Channel' means a natural water-carrying trough cut vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water. (current

definition in Forest Practice Guidelines Related to Water Quality, 15A NCAC 11 .0102)

- (2) 'DBH' means Diameter at Breast Height of a tree, which is measured at 4.5 feet above ground surface level.
- (3) 'Ditch or canal' means a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or intermittent streams.
- (4) 'Ephemeral (stormwater) stream' means a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the aquatic bed is always above the water table, and stormwater runoff is the primary source of water. An ephemeral stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.
- (5) 'Forest plantation' means an area of planted trees that may be conifers (pines) or hardwoods. On a plantation, the intended crop trees are planted rather than naturally regenerated from seed on the site, coppice (sprouting), or seed that is blown or carried into the site.
- (6) 'High Value Tree' means a tree that meets or exceeds the following standards: for pine species, 14-inch DBH or greater or 18-inch or greater stump diameter; and, for hardwood or wetland species, 16-inch DBH or greater or 24-inch or greater stump diameter.
- (7) 'Intermittent stream' means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.
- (8) 'Modified natural stream' means an on-site channelization or relocation of a stream channel and subsequent relocation of the intermittent or perennial flow as evidenced by topographic alterations in the immediate watershed. A modified natural stream must have the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
- (9) 'Perennial stream' means a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. Groundwater is the primary source of water for a perennial stream, but it also carries stormwater runoff. A perennial stream exhibits the typical biological, hydrological, and

physical characteristics commonly associated with the continuous conveyance of water.

- (10) 'Perennial waterbody' means a natural or man-made basin that stores surface water permanently at depths sufficient to preclude growth of rooted plants, including lakes, ponds, sounds, non-stream estuaries and ocean. For the purpose of the State's riparian area protection program, the waterbody must be part of a natural drainageway (i.e. connected by surface flow to a stream).
- (11) 'Stream' means a body of concentrated flowing water in a natural low area or natural channel on the land surface.
- (12) 'Tree' means a woody plant with a DBH equal to or exceeding 5-inches.

(c) **APPLICABILITY.** This Rule shall apply to 50-foot wide riparian buffers directly adjacent to surface waters in the Tar-Pamlico River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries), excluding wetlands. The riparian buffers protected by this Rule shall be measured pursuant to Item (4) below. For the purpose of this Rule, a surface water shall be present if the feature is approximately shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS). Riparian buffers adjacent to surface waters that do not appear on either of the maps shall not be subject to this Rule. Riparian buffers adjacent to surface waters that appear on the maps shall be subject to this Rule unless one of the following applies.

- (1) **EXEMPTION WHEN AN ON-SITE DETERMINATION SHOWS THAT SURFACE WATERS ARE NOT PRESENT.** When a landowner or other affected party believes that the maps have inaccurately depicted surface waters, he or she shall consult the Division or the appropriate delegated local authority. Upon request, the Division or delegated local authority shall make on-site determinations. Any disputes over on-site determinations shall be referred to the Director in writing. A determination of the Director as to the accuracy or application of the maps is subject to review as provided in Articles 3 and 4 of Chapter 150B of the General Statutes. Surface waters that appear on the maps shall not be subject to this Rule if an on-site determination shows that they fall into one of the following categories.

- (A) Ditches and manmade conveyances other than modified natural streams.
- (B) Manmade ponds and lakes that are located outside natural drainage ways.
- (C) Ephemeral (stormwater) streams.

- (2) **EXEMPTION WHEN EXISTING USES ARE PRESENT AND ONGOING.** This Rule shall not apply to portions of the riparian buffer where a use is existing and ongoing according to the following.

- (A) A use shall be considered existing if it was present within the riparian area as of _____.

Existing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns, utility lines and on-site sanitary sewage systems. Only the portion of the riparian area that contains the footprint of the existing use is exempt from this Rule. Activities necessary to maintain uses are allowed provided that no additional vegetation is removed from Zone 1, existing diffuse flow is maintained, and surface waters are not disturbed. Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised, the ground is stabilized and existing diffuse flow is maintained.

- (B) At the time an existing use is converted to another use, this Rule shall apply. An existing use shall be considered to be converted to another use if any of the following applies:

- (i) Impervious surface is added to the riparian buffer in locations where it did not exist previously.
- (ii) An agricultural operation within the riparian buffer is taken out of production.
- (iii) A lawn within the riparian buffer ceases to be maintained.

- (d) **ZONES OF THE RIPARIAN BUFFER.** The protected riparian buffer shall have two zones as follows:

- (1) Zone 1 shall consist of a vegetated area that is undisturbed except for uses provided for in Item (6). The location of Zone 1 shall be as follows:

- (A) For intermittent and perennial streams, Zone 1 shall begin at the most landward limit of the top of bank or the rooted herbaceous vegetation and extend landward a distance of 30 feet on all sides of the surface water, measured horizontally on a line perpendicular to the surface water.
- (B) For ponds, lakes and reservoirs located within a natural drainage way, Zone 1 shall begin at the most landward limit of the normal water level or the rooted herbaceous vegetation and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.
- (C) For surface waters within the 20 Coastal Counties (defined in 15A NCAC 2B .0202) within the jurisdiction of the Division of Coastal Management, Zone 1 shall begin at the most landward limit of the normal high water level, the normal water level, or the landward limit of coastal wetlands as defined by the Division of Coastal Management and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.

- (2) Zone 2 shall consist of a stable, vegetated area that is undisturbed except for activities and uses provided for in Item (6). Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised. Zone 2 shall begin at the outer edge of Zone 1 and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones 1 and 2 shall be 50 feet on all sides of the surface water.

(e) **DIFFUSE FLOW REQUIREMENT.** Diffuse flow of runoff shall be maintained in the riparian buffer by dispersing

concentrated flow and reestablishing vegetation.

- (1) Concentrated runoff from new ditches or manmade conveyances shall be converted to diffuse flow before the runoff enters the riparian buffer.
- (2) Periodic corrective action to restore diffuse flow shall be taken if necessary to impede the formation of erosion gullies.

(f) **TABLE OF USES.** The following chart sets out the uses and their designation under this Rule as exempt, allowable, allowable with mitigation, or prohibited. The requirements for each category are given in Item (7).

	Exempt	Allowable	Allowable with Mitigation	Prohibited
Airport facilities:				
• Airport facilities that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer		X		
• Airport facilities that impact greater than 150 linear feet or one-third of an acre of riparian buffer			X	
Archaeological activities	X			
Bridges		X		
Dam maintenance activities	X			
Drainage ditches, roadside ditches and stormwater outfalls through riparian buffers:				
• Existing drainage ditches, roadside ditches, and stormwater outfalls provided that they are managed to minimize the sediment, nutrients and other pollution they convey to waterbodies	X			
• New drainage ditches, roadside ditches and stormwater outfalls provided that a stormwater management facility is installed to control nitrogen and attenuate flow before the conveyance discharges through the riparian buffer		X		
• New drainage ditches, roadside ditches and stormwater outfalls that do not provide control for nitrogen before discharging through the riparian buffer				X
• Excavation of the streambed in order to bring it to the same elevation as the invert of a ditch				X
Drainage of a pond in a natural drainage way provided that a new riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the new channel	X			
Driveway crossings:				
• Driveway crossings on single family residential lots that disturb equal to or less than 25 linear feet or 2,500 square feet of riparian buffer	X			
• Driveway crossings on single family residential lots that disturb greater than 25 linear feet or 2,500 square feet of riparian buffer		X		
• In a subdivision that cumulatively disturb equal to or less than 150 linear feet or one-third of an acre of riparian buffer.		X		
• In a subdivision that cumulatively disturb greater than 150 linear feet or one-third of an acre of riparian buffer			X	
Fences provided that disturbance is minimized and installation does not result in removal of forest vegetation	X			
Forest harvesting - see Item (11) of this Rule.				
Fertilizer application:				
• One-time fertilizer application to establish replanted vegetation	X			
• Ongoing fertilizer application				X
Grading and revegetation in Zone 2 only provided that diffuse flow and	X			

the health of existing vegetation in Zone 1 is not compromised and disturbed areas are stabilized.				
Greenway trails		X		
Historic preservation	X			
Landfills				X
Mining activities Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Items (4) and (5) are established adjacent to the relocated channels. • Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Items (4) and (5) are NOT established adjacent to the relocated channels.		X	X	
Non-electric utility lines: • Impacts other than perpendicular crossings in Zone 2 only • Impacts other than perpendicular crossings in Zone 1 • Perpendicular crossings that disturb equal to or less than 40 linear feet of riparian buffer • Perpendicular crossings that disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer • Perpendicular crossings that disturb greater than 150 linear feet of riparian buffer	X	X X	X X	
• On-site sanitary sewage systems - new ones that use ground adsorption				X
Overhead electric utility lines provided that: • There is no land disturbance or removal of undergrowth vegetation less than 15 feet tall within 10 feet of a waterbody. • DWQ is notified of the impact, and • Construction and maintenance activities comply with the listed BMPs ¹	X			
Overhead electric utility lines that do not meet the criteria listed above.		X		
Periodic maintenance of modified natural streams such as canals and a grassed travelway on one side of the surface water when alternative forms of maintenance access are not practical		X		
Playground equipment: • Playground equipment on single family lots provided that installation and use does not result in removal of vegetation • Playground equipment installed on lands other than single-family lots or that requires removal of vegetation	X	X		
Ponds in natural drainage ways: • New ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond • New ponds where an appropriate riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond		X	X	
Protection of existing structures and facilities when this requires additional disturbance of the riparian buffer or the stream channel		X		
Railroad crossings: • Railroad crossings that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer • Railroad crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer		X	X	
Removal of previous fill or debris provided that diffuse flow and any vegetation removed is restored.	X			
Road crossings: • Road crossings that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer • Road crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer		X	X	

Scientific studies and stream gauging	X			
Stormwater management ponds: • New stormwater management ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond • New stormwater management ponds where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond		X		X
Stream restoration	X			
Streambank stabilization		X		
Temporary roads: • Temporary roads that disturb less than or equal to 2,500 square feet provided that vegetation is restored within six months. • Temporary roads that disturb greater than 2,500 square feet provided that vegetation is restored within six months.	X			
Temporary sediment and erosion control devices: • In Zone 2 only provided that the vegetation in Zone 1 is not compromised and that discharge is released as diffuse flow in accordance with Item (5). • In Zones 1 and 2 to control impacts associated with uses approved by the Division or that have received a variance provided that sediment and erosion control for upland areas is addressed to the maximum extent practical outside of the riparian buffer. • In-stream temporary erosion and sediment control measures for work within a stream channel.	X X	X		
Underground electric utility lines provided that: • DWQ is notified of the impact, and • Construction and maintenance activities comply with the listed BMPs ² Underground electric utility lines that do not meet the criteria listed above.	X		X	
Vegetation management: • Emergency fire control measures provided that topography is restored • Periodic mowing and harvesting of plant products in Zone 2 only • Planting vegetation to enhance the riparian buffer • Pruning forest vegetation provided that the health and function of the forest vegetation is not compromised • Removal of individual trees which are in danger of causing damage to dwellings, other structures or human life • Removal of poison ivy • Removal of understory nuisance vegetation as defined in: Smith, Cheri L. 1998. Exotic Plant Guidelines. Department of Environment and Natural Resources. Division of Parks and Recreation. Raleigh, NC. Guideline #30.	X X X X X X X			
Water dependent structures as defined in 15A NCAC 2B .0202		X		
Water supply reservoirs: • New reservoirs provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the reservoir • New reservoirs where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the reservoir		X		X
Water wells	X			
Wetland restoration	X			

¹ The BMPs for overhead utility lines within the riparian buffer are as follows:

- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.

- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain where trees are cut.
- Rip rap shall not be used unless it is necessary to stabilize a tower.

- Towers shall not be placed within 10 feet of the stream bank and riprap shall not be installed unless necessary to stabilize the tower.
- No fertilizer shall be used in Zone 1 other than a one-time application to re-establish vegetation.
- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which the areas remain in a disturbed state.
- A minimum zone of 10 feet wide immediately adjacent to the stream bank shall be managed to retain undergrowth vegetation less than 15 feet tall.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

²The BMPs for underground electric utility lines within the riparian buffer are that:

- Underground cables shall be installed by vibratory plow or trenching.
- The trench shall be backfilled with the excavated soil material immediately following cable installation.

(g) REQUIREMENTS FOR CATEGORIES OF USES. Uses designated as exempt, allowable, allowable with mitigation, and prohibited in Item (6) shall have the following requirements:

- (1) EXEMPT. Uses designated as exempt are allowed within the riparian buffer. Exempt uses shall be designed, constructed and maintained to minimize soil disturbance and to provide the maximum water quality protection practicable. In addition, exempt uses shall meet requirements listed in Item (6) for the specific use.
- (2) ALLOWABLE. Uses designated as allowable may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8). These uses require written authorization from the Division or the delegated local authority.
- (3) ALLOWABLE WITH MITIGATION. Uses designated as allowable with mitigation may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8) and an appropriate mitigation strategy has been approved pursuant to Item (10). These uses require written authorization from the Division or the delegated local authority.
- (4) PROHIBITED. Uses designated as prohibited may not proceed within the riparian buffer unless a variance is granted pursuant to Item (9).

(h) DETERMINATION OF "NO PRACTICAL ALTERNATIVES." Persons who wish to undertake uses designated as allowable or allowable with mitigation shall submit a request for a "no practical alternative" determination to the Division or to the delegated local authority. The applicant shall certify that the criteria identified in Sub-Item (8)(a) are met. The Division or the delegated local authority shall grant an Authorization Certificate upon a "no practical alternatives"

determination. The procedure for making an Authorization Certificate shall be as follows:

- (1) For any request for an Authorization Certificate, the Division or the delegated local authority shall review the entire project and make a finding of fact as to whether the following requirements have been met in support of a "no practical alternatives" determination:
 - (A) The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
 - (B) The use cannot practically be reduced in size or density, reconfigured or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
 - (C) Best management practices will be used if necessary to minimize disturbance, preserve aquatic life and habitat, and protect water quality.
- (2) Requests for an Authorization Certificate shall be reviewed and either approved or denied within 60 days of receipt of a complete submission based on the criteria in Sub-Item (8)(a) above by either the Division or the delegated local authority. Failure to issue an approval or denial within 60 days shall constitute that the applicant has demonstrated "no practical alternatives." The Division or the delegated local authority may attach conditions to the Authorization Certificate that support the purpose, spirit and intent of the riparian buffer protection program. Complete submissions shall include the following:
 - (A) The name, address and phone number of the applicant;
 - (B) The nature of the activity to be conducted by the applicant;
 - (C) The location of the activity, including the jurisdiction;
 - (D) A map of sufficient detail to accurately delineate the boundaries of the land to be utilized in carrying out the activity, the location and dimensions of any disturbance in riparian buffers associated with the activity, and the extent of riparian buffers on the land;
 - (E) An explanation of why this plan for the activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality; and
 - (F) Plans for any best management practices proposed to be used to control the impacts associated with the activity.
- (3) Any disputes over determinations regarding Authorization Certificates shall be referred to the Director for a decision. The Director's decision is subject to review as provided in Articles 3 and 4 of Chapter 150B of the General Statutes.

(i) **VARIANCES.** Persons who wish to undertake uses designated as prohibited have the option of pursuing a variance. The Division or the appropriate delegated local authority may grant minor variances. The variance request procedure shall be as follows:

(1) For any variance request, the Division or the delegated local authority shall make a finding of fact as to whether the following requirements have been met:

- (A) There are practical difficulties or unnecessary hardships that prevent compliance with the strict letter of the riparian buffer protection requirements;
- (B) The variance is in harmony with the general purpose and intent of the State's riparian buffer protection requirements and preserves its spirit; and
- (C) In granting the variance, the public safety and welfare have been assured and substantial justice has been done.

(2) **MINOR VARIANCES.** A minor variance request pertains to activities that are proposed only to impact any portion of Zone 2 of the riparian buffer. Minor variance requests shall be reviewed and approved based on the criteria in Sub-Item (9)(a) above by the either the Division or the delegated local authority pursuant to G.S. 153A-Article 18, or G.S. 160A-Article 19. The Division or the delegated local authority may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Requests for appeals of decisions made by the Division shall be made to the Office of Administrative Hearings. Request for appeals made by the delegated local authority shall be made to the appropriate Board of Adjustment under G.S. 160A-388 or G.S. 153A-345.

(3) **MAJOR VARIANCES.** A major variance request pertains to activities that are proposed to impact any portion of Zone 1 or any portion of both Zones 1 and 2 of the riparian buffer. If the Division or the delegated local authority has determined that a major variance request meets the requirements in Sub-Item (9)(a), then it shall prepare a preliminary finding and submit it to the Commission. The Commission shall review preliminary findings on major variance requests within 90 days after receipt by the Director. Requests for appeals of determinations that the requirements of Sub-Item(9)(a) have not been met shall be made to the Office of Administrative Hearings for determinations made by the Division or the appropriate Board of Adjustments under G.S. 160-A-388 or G.S. 153A-345 for determinations made by the delegated local authority. The purpose of the Commission's review is to determine if it agrees that the requirements in Sub-Item (9)(a) have been met. Requests for appeals of decisions made by the Commission shall be made to the Office of Administrative Hearings. The following actions shall

be taken depending on the Commission's decision on the major variance request:

- (A) Upon the Commission's approval, the Division or the delegated local authority shall issue a final decision granting the major variance.
- (B) Upon the Commission's approval with conditions or stipulations, the Division or the delegated local authority shall issue a final decision, which includes these conditions or stipulations.
- (C) Upon the Commission's denial, the Division or the delegated local authority shall issue a final decision denying the major variance.

(j) **MITIGATION.** Persons who wish to undertake uses designated as allowable with mitigation shall meet the following requirements in order to proceed with their proposed use.

- (1) Obtain a determination of "no practical alternatives" to the proposed use pursuant to Item (8).
- (2) Obtain approval for a mitigation proposal pursuant to 15A NCAC 2B .0260.

(k) **REQUIREMENTS SPECIFIC TO FOREST HARVESTING.** The following requirements shall apply for forest harvesting operation and practices.

- (1) The following measures shall apply in the entire riparian buffer:
 - (A) Logging decks and sawmill sites shall not be placed in the riparian buffer.
 - (B) Access roads and skid trails shall be prohibited except for temporary and permanent stream crossings established in accordance with 15A NCAC 11 .0203 of this Subchapter. Temporary stream crossings shall be permanently stabilized after any site disturbing activity is completed.
 - (C) Timber felling shall be directed away from the stream or water body.
 - (D) Skidding shall be directed away from the stream or water body and shall be done in a manner that minimizes soil disturbance and prevents the creation of channels and/or ruts.
 - (E) Individual trees may be treated to maintain or improve their health, form or vigor.
 - (F) Harvesting of dead or infected trees or application of pesticides necessary to prevent or control extensive tree pest and disease infestation shall be allowed. The Division of Forest Resources must approve these practices for a specific site. The DFR must notify DWQ of all approvals.
 - (G) Removal of individual trees that are in danger of causing damage to structures or human life shall be allowed.
 - (H) Natural regeneration of forest vegetation and planting of trees, shrubs, or ground cover plants to enhance the riparian buffer shall be allowed provided that soil disturbance is minimized. Plantings shall consist primarily of native species.

- (I) High intensity prescribed burns shall not be allowed.
- (J) Application of fertilizer shall not be allowed except as necessary for permanent stabilization. Broadcast application of fertilizer and/or herbicides to the adjacent forest stand shall be conducted so that the chemicals are not applied directly to or allowed to drift into the riparian buffer.
- (2) In Zone 1, forest vegetation shall be protected and maintained. Selective harvest as provided for below is allowed on forest lands that have a deferment for use value under forestry in accordance with G.S. 105-277.2 through 277.6 or on forest lands that have a forest management plan prepared or approved by a registered professional forester. Copies of either the approval of the deferment for use value under forestry or the forest management plan shall be produced upon request. For such forest lands, selective harvest is allowed in accordance with the following:
 - (A) Tracked or wheeled vehicles are not permitted except at stream crossings designed, constructed and maintained in accordance with 15A NCAC 11 .0203.
 - (B) Soil disturbing site preparation activities are not allowed.
 - (C) Trees shall be removed with the minimum disturbance to the soil and residual vegetation.
 - (D) The following provisions for selective harvesting shall be met:
 - (i) In the first 10 feet of Zone 1 directly adjacent to the stream or waterbody shall be undisturbed except for the removal of individual high value trees as defined provided that no trees with exposed primary roots visible in the streambank be cut.
 - (ii) In the outer 20 feet of Zone 1, a maximum of 50 percent of the trees greater than 5 inches dbh may be cut and removed. The reentry time for harvest shall be no more frequent than every 15 years, except on forest plantations where the reentry time shall be no more frequent than every 5 years. In either case, the trees remaining after harvest shall be as evenly spaced as possible.
 - (ii) In Zone 2, harvesting and regeneration of the forest stand shall be allowed provided that sufficient ground cover is maintained to provide for diffusion and infiltration of surface runoff.
- (I) REQUIREMENTS SPECIFIC TO LOCAL GOVERNMENTS WITH STORMWATER PROGRAMS FOR NITROGEN CONTROL. Local governments that are required to have local stormwater programs pursuant to 15A NCAC 2B

.0258 shall have two options for ensuring protection of riparian areas on new developments within their jurisdictions as follows.

- (1) Obtain authority to implement a local riparian buffer protection program pursuant to 15A NCAC 2B .0261.
- (2) Refrain from issuing local approvals for new development projects unless either:
 - (A) The person requesting the approval does not propose to impact the riparian buffer of a surface water that appears on either the most recent versions of the soil survey maps prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent versions of the 1:24,000 scale (7.5 minute quadrangle) topographic maps prepared by the United States Geologic Survey (USGS).
 - (B) The person requesting the approval proposes to impact the riparian buffer of a surface water that appears on the maps described in Sub-Item (12)(b)(i) above and either:
 - (i) Has received an on-site determination from the Division pursuant to Sub-Item (3)(a) that surface waters are not present;
 - (ii) Has received an Authorization Certificate from the Division pursuant to Item (8) for uses designated as Allowable under this Rule;
 - (iii) Has received an Authorization Certificate from the Division pursuant to Item (8) and obtained the Division's approval on a mitigation plan pursuant to Item (10) for uses designated as Allowable with Mitigation under this Rule; or
 - (iv) Has received a variance from the Commission pursuant to Item (9).
- (m) OTHER LAWS, REGULATIONS AND PERMITS. In all cases, compliance with this Rule does not preclude the requirement to comply with all federal, state and local regulations and laws.

.0260 MITIGATION PROGRAM FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS

(a) PURPOSE. The purpose of this Rule is to set forth the mitigation requirements that apply to the State's riparian buffer protection program.

(b) APPLICABILITY. This Rule applies to persons who wish to impact a riparian buffer when one of the following applies:

- (1) A person has received an Authorization Certificate pursuant to 15A NCAC 2B .0259 for a proposed use that is designated as "allowable with mitigation."
- (2) A person has received a variance pursuant to 15A NCAC 2B .0259 and is required to perform mitigation as a condition of a variance approval.

(c) **THE AREA OF MITIGATION.** The required area of mitigation shall be determined by either the Division or the local delegated authority according to the following:

- (1) The impacts in square feet to each zone of the riparian buffer shall be determined by the Division or the local delegated authority by adding the following:
 - (A) The area of the footprint of the use causing the impact to the riparian buffer.
 - (B) The area of the boundary of any clearing and grading activities within the riparian buffer necessary to accommodate the use.
 - (C) The area of any ongoing maintenance corridors within the riparian buffer associated with the use.
- (2) The required area of mitigation shall be determined by applying the following multipliers to the impacts determined in Sub-item 3(a) to each zone of the riparian buffer:
 - (A) Impacts to Zone 1 of the riparian buffer shall be multiplied by 3.
 - (B) Impacts to Zone 2 of the riparian buffer shall be multiplied by 1.5.
 - (C) Impacts to wetlands within Zones 1 and 2 of the riparian buffer that are subject to mitigation under 15A NCAC 2H .0506 shall comply with the mitigation ratios in 15A NCAC 2H .0506.

(d) **THE LOCATION OF MITIGATION.** The mitigation effort shall be located in the same physiographic region of the Tar-Pamlico River Basin as the proposed impact, or lower in the basin. The physiographic regions are mapped in _____.

(e) **ISSUANCE OF THE MITIGATION DETERMINATION.** The Division or the local delegated authority shall issue a mitigation determination that specifies the required area and location of mitigation pursuant to Items (3) and (4).

(f) **OPTIONS FOR MEETING THE MITIGATION DETERMINATION.** The mitigation determination made pursuant to Item (5) may be met through one of the following options:

- (1) Payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7).
- (2) Donation of real property or of an interest in real property pursuant to Item (8).
- (3) Restoration or enhancement of a riparian buffer that is not otherwise required to be protected. This shall be accomplished by the applicant after submittal and approval of a restoration plan pursuant to Item (9).

(g) **PAYMENT TO THE RIPARIAN BUFFER RESTORATION FUND.** Persons who choose to satisfy their mitigation determination by paying a compensatory mitigation fee to the Riparian Buffer Restoration Fund shall meet the following requirements:

- (1) **SCHEDULE OF FEES:** The amount of payment into the Fund shall be determined by multiplying the acres or square feet of mitigation determination made pursuant to Item (5) by \$0.96 per square foot or \$41,625 per acre.

- (2) The required fee shall be submitted to the Division of Water Quality, Wetlands Restoration Program, P.O. Box 29535, Raleigh, NC 27626-0535 prior to any activity that results in the removal or degradation of the protected riparian buffer for which a "no practical alternatives" determination has been made.
- (3) The payment of a compensatory mitigation fee may be fully or partially satisfied by donation of real property interests pursuant to Item (8).
- (4) The fee outlined in Sub-item (7)(a) shall be reviewed every two years and compared to the actual cost of restoration activities conducted by the Department, including site identification, planning, implementation, monitoring and maintenance costs. Based upon this biennial review, revisions to Sub-item (7)(a) will be recommended when adjustments to this Schedule of Fees are deemed necessary.

(h) **DONATION OF PROPERTY.** Persons who choose to satisfy their mitigation determination by donating real property or an interest in real property shall meet the following requirements:

- (1) The donation of real property interests may be used to either partially or fully satisfy the payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7). The value of the property interest shall be determined by an appraisal performed in accordance with Sub-item (8)(d)(iv). The donation shall satisfy the mitigation determination if the appraised value of the donated property interest is equal to or greater than the required fee. If the appraised value of the donated property interest is less than the required fee calculated pursuant to Sub-item (7)(a), the applicant shall pay the remaining balance due.
- (2) The donation of conservation easements to satisfy compensatory mitigation requirements shall be accepted only if the conservation easement is granted in perpetuity.
- (3) Donation of real property interests to satisfy the mitigation responsibility shall be accepted only if such property meets all of the following requirements:
 - (A) The property shall be located within an area that is identified as a priority for restoration in the Basinwide Wetlands and Riparian Restoration Plan or shall be located at a site that is otherwise consistent with the goals outlined in the Basinwide Wetlands and Riparian Restoration Plan.
 - (B) The property shall contain riparian buffers not currently protected by the State's riparian buffer protection program that are in need of restoration.
 - (C) The restorable riparian buffer on the property shall have a minimum length of 1000 linear feet along a surface water and a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.

- (D) The size of the restorable riparian buffer on the property to be donated shall equal or exceed the acreage of riparian buffer required to be mitigated under the mitigation responsibility determined pursuant to Item (3).
 - (E) The property shall not require excessive measures for successful restoration, such as removal of structures or infrastructure.
 - (F) Restoration of the property shall be capable of fully offsetting the adverse impacts of the requested use;
 - (G) The property shall be suitable to be successfully restored, based on existing hydrology, soils, and vegetation;
 - (H) The estimated cost of restoring and maintaining the property shall not exceed the value of the property minus site identification and land acquisition costs.
 - (I) The property shall not contain cultural or historic resources.
 - (J) The property shall not contain any hazardous substance or solid waste.
 - (K) The property shall not contain structures or materials that present health or safety problems to the general public. If wells, septic, water or sewer connections exist, they shall be filled, remediated or closed at owner's expense in accordance with state and local health and safety regulations.
 - (L) The property shall have the potential to remove nitrogen, improve water quality and enhance natural resources after restoration. The Division shall consider whether the property is adjacent to or includes:
 - (i) a Department-approved restoration or preservation project or public lands;
 - (ii) a sensitive natural resource, as identified in the Basinwide Wetland and Riparian Restoration Plan;
 - (iii) known occurrences of rare species as identified by the North Carolina Natural Heritage Program in the "Natural Heritage Program List of Rare Animal Species of North Carolina" or the "Natural Heritage Program List of the Rare Plant Species of North Carolina";
 - (iv) Significant Natural Heritage Area as identified by the North Carolina Natural Heritage Program in the "North Carolina Natural Heritage Program Biennial Protection Plan, List of Significant Natural Heritage Areas." Copies of these documents may be obtained from the Department of Environment and Natural Resources, Division of Parks and Recreation, Natural Heritage Program, P.O. Box 27687, Raleigh, North Carolina 27611;
 - (v) federally or state-listed sensitive, endangered, or threatened species, or their critical habitat;
 - (vi) non-supporting, partially supporting, or support-threatened waters as designated by the Division pursuant to 40 CFR 131.10(a) through (g). This material is available at the Department of Environment and Natural Resources, Division of Water Quality, Water Quality Section, 512 North Salisbury Street, Raleigh, North Carolina;
 - (M) The property and adjacent properties shall not have prior, current, and known future land use that would inhibit the function of the restoration effort.
 - (N) The property shall not have any encumbrances or conditions on the transfer of the property interests.
- (4) At the expense of the applicant or donor, the following information shall be submitted to the Division with any proposal for donations or dedications of interest in real property:
- (A) Documentation that the property meets the requirements laid out in Sub-Item (8)(c);
 - (B) US Geologic Survey 1:24,000 (7.5 minute) scale topographic map, county tax map, USDA Natural Resource Conservation Service County Soil Survey Map, and county road map showing the location of the property to be donated along with information on existing site conditions, vegetation types, presence of existing structures and easements;
 - (C) A current property survey performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the State Board of Registration for Professional Engineers and Land Surveyors in "Standards of Practice for Land Surveying in North Carolina." Copies may be obtained from the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609;
 - (D) A current appraisal of the value of the property performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the Appraisal Board in the "Uniform Standards of Professional North Carolina Appraisal Practice." Copies may be obtained from the Appraisal Foundation, Publications Department, PO Box 96734, Washington, D.C. 20090-6734; and
 - (E) A title certificate.
- (i) **PARIAN BUFFER RESTORATION OR ENHANCEMENT.** Persons who choose to meet their

mitigation requirement through riparian buffer restoration or enhancement shall meet the following requirements:

- (1) The applicant may restore or enhance a riparian buffer that is not protected under the State's riparian buffer protection program if:
 - (A) The area of riparian buffer restoration is equal to the required area of mitigation determined pursuant to Item (3); or
 - (B) The area of riparian buffer enhancement is three times larger than the required area of mitigation determined pursuant to Item (3).
- (2) The location of the riparian buffer restoration or enhancement shall comply with the requirements in Item (4).
- (3) The riparian buffer restoration or enhancement site shall have a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.
- (4) The applicant shall first receive an Authorization Certificate for the proposed use according to the requirements of 15A NCAC 2B .0259. After receiving this determination, the applicant shall submit a restoration or enhancement plan for approval by the Division. The restoration or enhancement plan shall contain the following.
 - (A) A map of the proposed restoration or enhancement site
 - (B) A vegetation plan. The vegetation plan shall include a minimum of at least two native hardwood tree species planted at a density sufficient to provide 320 trees per acre at maturity.
 - (C) A grading plan. The site shall be graded in a manner to ensure diffuse flow through the riparian buffer.
 - (D) A fertilizing plan.
 - (E) A schedule for implementation.
- (5) Within one year after the Division has approved the restoration or enhancement plan, the applicant shall present proof to the Division that the riparian buffer has been restored or enhanced. If proof is not presented within this timeframe, then the person shall be in violation of the State's or the delegated local authority's riparian buffer protection program.
- (6) The mitigation area shall be placed under a perpetual conservation easement whose terms are acceptable to the Division.
- (7) The applicant shall submit annual reports for a period of five years after the restoration or enhancement showing that the trees planted have survived and that diffuse flow through the riparian buffer has been maintained. The applicant shall be responsible for replacing trees that do not survive and for restoring diffuse flow if needed during that five-year period.

.0261 TAR-PAMLICO RIVER BASIN NUTRIENT SENSITIVE WATERS MANAGEMENT STRATEGY: DELEGATION OF AUTHORITY

FOR THE PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS

(a) **PURPOSE.** This Rule sets out the requirements for delegation of the responsibility for implementing and enforcing the state's riparian buffer protection program to local governments.

(b) **PROCEDURES FOR GRANTING AND RESCINDING DELEGATION.** The Commission shall grant and rescind local government delegation of the Tar-Pamlico River Basin Riparian Buffer Protection requirements according to the following procedures.

- (1) Local governments within the Tar-Pamlico River Basin may submit a written request to the Commission for authority to implement and enforce the State's riparian buffer protection requirements within their jurisdiction. The written request shall be accompanied by information which shows:
 - (A) The local government has land use jurisdiction for the riparian buffer demonstrated by delineating the local land use jurisdictional boundary on USGS 1:24,000 topographical map(s) or other appropriate scale map(s);
 - (B) The local government has the administrative organization, staff, legal authority, financial and other resources necessary to implement and enforce the State's riparian buffer protection requirements based on its size and projected amount of development;
 - (C) The local government has adopted ordinances, resolutions, or regulations necessary to establish and maintain the State's riparian buffer protection requirements; and
 - (D) The local government has provided a plan to address violations with appropriate remedies and actions.
- (2) Within 90 days after the Commission has received the request for delegation, the Commission shall notify the local government whether it has been approved, approved with modifications, or denied.
- (3) The Commission, upon determination that a delegated local authority is failing to implement or adequately enforce the state's riparian buffer protection requirements, shall notify the delegated local authority in writing of the local program's inadequacies. If the delegated local authority has not corrected the deficiencies within 90 days of receipt of the written notification, then the Commission shall rescind the delegation of authority to the local government and shall implement and enforce the State's riparian buffer protection requirements.
- (4) The Commission may delegate its duties and powers for granting and rescinding local government delegation of the State's riparian buffer protection requirements, in whole or in part, to the Director.
- (c) **APPOINTMENT OF A RIPARIAN BUFFER PROTECTION ADMINISTRATOR.** Upon receiving delegation, local governments shall appoint a Riparian Buffer Protection Administrator who shall coordinate the

implementation and enforcement of the program. The Administrator shall attend an initial training session by the Division and subsequent annual training sessions. The Administrator shall ensure that local government staff working directly with the program receive training to understand, implement and enforce the program.

(d) **PROCEDURES FOR USES WITHIN RIPARIAN BUFFERS THAT ARE ALLOWABLE AND ALLOWABLE WITH MITIGATION.** Upon receiving delegation, local authorities shall be responsible for reviewing proposed uses within the riparian buffer and issuing approvals if the uses meet the State's riparian buffer protection requirements. Delegated local authorities shall issue an Authorization Certificate for uses if the proposed use meets the State's riparian buffer protection requirements, or provides for appropriate mitigated provisions to the State's riparian buffer protection requirements. The Division shall have the authority to challenge a decision made by a delegated local authority for a period of 30 days after the Authorization Certificate is issued. If the Division does not challenge an Authorization Certificate within 30 days of issuance, then the delegated local authority's decision will stand.

(e) **VARIANCES.** After receiving delegation, local governments shall be responsible for reviewing variance requests, providing approvals for minor variance requests and making recommendations to the Commission for major variance requests pursuant to the State's riparian buffer protection program.

(f) **LIMITS OF DELEGATED LOCAL AUTHORITY.** The

Commission shall have jurisdiction to the exclusion of local governments to implement the State's riparian buffer protection requirements for the following types of activities:

- (1) Activities conducted under the authority of the State;
- (2) Activities conducted under the authority of the United States;
- (3) Activities conducted under the authority of multiple jurisdictions;
- (4) Activities conducted under the authority of local units of government.

(g) **RECORD-KEEPING REQUIREMENTS.** Delegated local authorities are required to maintain on-site records for a minimum of 5 years. Delegated local authorities must furnish a copy of these records to the Director within 30 days of receipt of a written request for the records. The Division will inspect local riparian buffer protection programs to ensure that the programs are being adequately implemented and enforced. Each delegated local authority's records shall include the following:

- (1) A copy of variance requests;
- (2) The variance request's finding of fact;
- (3) The result of the variance proceedings;
- (4) A record of complaints and action taken as a result of the complaint;
- (5) Records for stream origin calls and stream ratings; and
- (6) Copies of request for authorization, records approving authorization and Authorization Certificates.

ATMOSPHERIC EMISSIONS

MAJOR ISSUES DISCUSSED

Meetings were fairly well attended, averaging 13 people per meeting; total representation included four industry groups, several farmers, five state/federal agencies, several local agriculture offices, two environmental interests, an affected landowner, and academia.

The team focused on ammonia emissions from animal operations. It did not address the other major input to atmospheric nitrogen, nitrogen oxide emissions from combustion sources, because federal regulations and the Division of Air Quality have traditionally handled that area. The team evaluated the following issues:

- Preliminary estimates of ammonia emissions and deposition.
- The status of the science of estimating ammonia emissions, transport, transformation, and deposition.
- The status of ammonia emissions control technology.
- The feasibility of developing Rules for control of ammonia emissions from confined animal operations.

TECHNICAL DETERMINATIONS

The Issue of Ammonia Emissions

The study of ammonia emissions and fate in North Carolina is currently in early stages. Estimates of ammonia emissions and deposition are not yet available for the basin, however, the Division of Air Quality (DAQ) has made preliminary estimates of emissions for the entire state. DAQ has estimated that ammonia emissions comprise about 42% of all nitrogen emissions in the state; nitrogen oxides from combustion sources comprise the other 58%. Of the state's ammonia emissions, animal operations comprise about 98.3%. The other 1.7% comes from point source gas emissions. DAQ currently lacks values for two other minor sources of ammonia gas emissions, wastewater treatment plants and human breathing. DAQ believes that these sources are very small, but it has only roughly characterized them to date. Estimates of ammonia emissions from animal operations relied on European data developed by Dutch researcher Battye et. al.

(1994), which are the best data currently available. DAQ staff adjusted these factors for the different animal numbers, animal husbandry, and climatic conditions in North Carolina.

The Division of Water Quality staff has made preliminary estimates of atmospheric nitrogen deposition based on literature data. DWQ staff estimates that direct atmospheric deposition of nitrogen to open water in the Tar-Pamlico basin may comprise up to 42% of the controllable nonpoint source nitrogen load to the entire basin, including the estuary.

Many questions on ammonia emissions, deposition, and fate in the U.S. have not been adequately answered to allow well-informed management decisions. Researchers in North Carolina expect to have preliminary insights on some questions in the near future. However, long-term research will be needed to adequately answer most of them. Research in this country has only begun to measure emissions from animal operations, and has not yet obtained measurements from some types of operations. It has not confirmed the relative magnitudes of different sources on a farm, such as houses, lagoons, and sprayfields, and has not begun to determine the relative magnitudes of the different types of animal operations. Research has not yet established the geographic area that contributes ammonia to the Tar-Pamlico basin. It has only begun to understand the transport and transformation of ammonia compounds, and to quantify the behavior of each. Research has only begun in this country on the impacts of increased nitrogen deposition on terrestrial ecosystems, and resulting changes to nitrogen loading to streams. The fate of ammonia that deposits on managed lands is not yet known. Technologies for measuring atmospheric ammonia emissions and deposition are similarly in early stages of development. Current methods are cumbersome, and deposition instruments as yet measure only certain components of ammonia deposition.

Progress in these areas will allow agencies to better understand the importance and urgency of the issue, to set geographic boundaries for regulation, to develop efficient, prioritized management strategies that are most easily applied and that are least burdensome.

While much about ammonia remains unknown, based on the information available to date, ammonia emissions from confined animal operations should be considered a significant issue, particularly in coastal Nutrient Sensitive Waters. Unlike many other air pollutants, all ammonia that is emitted returns to the land or water either as ammonia gas or as a particulate. Ammonia that deposits on water is immediately available for biological uptake. Ammonia that deposits on impervious surfaces is carried to receiving waters with rainfall. From 1991 to 1997, hog production in eastern North Carolina more than doubled, to almost 9 million animals. During the same period, broiler production increased 55%, and cattle production increased 34%. A significant portion of the nitrogen in these animals' waste is released as ammonia gas into the atmosphere. None of the regulations currently in place on animal operations in North Carolina require control of ammonia emissions.

Control of Ammonia Emissions

To date there has been very little research in North Carolina on technologies that are geared specifically to minimizing the impacts of ammonia emissions from animal operations on the environment. Most ammonia control research has been driven by human and animal health concerns within confinement houses. Current research that focuses on minimizing odors from animal operations has some potential application to ammonia.

Three major ammonia source areas can be identified on existing animal operations – confinement houses, waste storage and treatment areas such as lagoons, and waste application lands. Scientists at North Carolina State University have identified a number of control technologies that can be applied in each of these areas for odor control, and

many of these practices could be applied for ammonia control also. Little work has been done to develop many of these systems for use in production.

Economic Considerations of Controlling Ammonia Emissions

Proposals to control ammonia emissions from existing animal waste systems raise an important issue. Practices that retain ammonia in animal waste leave greater amounts of nitrogen to be disposed of in some other manner. Currently, animal operations are designed assuming the loss of a portion of waste nitrogen to the atmosphere. As ammonia-retaining BMPs are applied to existing animal waste management systems, operators will need significantly greater acreage for waste application, which entails additional expense. Alternative waste management systems can be used that convert ammonia to an inert gas, but these technologies also entail greater expense.

Livestock farmers operate in a very competitive market. Profit margins are small on average and highly variable through time. Producers in competitive markets have virtually no control over the prices they receive for their products. They seek to maximize profits by minimizing costs through increased efficiency and reduced waste. Costs of retrofitting existing farms differ from costs of installing systems on new farms in that producers must still amortize investments in existing manure treatment systems as well as pay the full costs of installing and operating the retrofits.

**DECISIONS
REACHED**

- Funding support is needed for research and demonstration of technologies for controlling ammonia emissions from animal operations to the environment.
- The state agriculture cost share program would need new statutory authority to fund ammonia BMPs.
- If the ACSP were given statutory authority to fund ammonia BMPs, it would need additional funding to support significant spending on them.
- To implement ammonia BMPs, the economic issues faced by producers are significant; it will be important for the state to develop funding sources, such as expanding the ACSP, especially if such BMPs will be required on existing operations.
- There are no regulatory examples to draw from in the United States; no other jurisdictions in the country are known that have developed regulations to control animal ammonia emissions to the environment.
- Federal regulation of ammonia may occur within the next decade. The USEPA is currently considering standards for fine particulate atmospheric pollutants, and may enact regulations within the next 5 to 10 years that would encompass particulate ammonia emissions.
- The team recommends that the EMC appoint an Ammonia Emissions Technical Advisory Committee as described below.
- The team recommends that the EMC forward a resolution to the General Assembly requesting funding for continued research on ammonia emissions and fate, and on expanded research and development of applied ammonia control technology as described below.

ACTIONS TAKEN

Funding provided by the General Assembly in 1996 for atmospheric ammonia research is largely exhausted, and DAQ's historical funding for such research was recently ended. In December 1998, team members Dr. Viney Aneja (NCSU-MEAS), Dr. Ron Sheffield (NCSU-ARS), and Dr. Bill Cure (DAQ) submitted research funding proposals to DENR for inclusion in the departmental expansion budget. They requested funding to continue collecting data on ammonia emissions, ambient levels, and deposition, to continue modeling these data, and to develop on-farm demonstrations of BMPs to control emissions from different sources.

**ISSUES ON WHICH
CONSENSUS WAS
NOT REACHED**

Most of the team felt that it was premature to propose Rules without better knowledge of atmospheric ammonia and of ammonia control technology. The team did not reach consensus on this issue. Several members felt that the magnitude of the problem as estimated with currently available data suggests the need to take steps now. The team did agree that the need for Rules should be periodically reexamined, and linked to the annual

**STEERING
COMMITTEE
COMMENTS**

NPS status report to the EMC.

The steering committee had the following suggestions to the team. The team's responses are provided below.

- The EMC would like to see Rule recommendations from the team. A similar message appears to be coming from EPA in its Neuse TMDL negotiations.
- The team should consider some steps or incentives to foster implementation.
- The team should consider the lagoon phase-out committee's recommendations.
- A timetable is lacking.

A participant also commented that the river basin is likely not the most appropriate level at which to control ammonia emissions.

**AMMONIA EMISSIONS TECHNICAL ADVISORY
COMMITTEE**

The team recommends that the EMC appoint an advisory committee, to be referred to as the Ammonia Emissions Technical Advisory Committee, to evaluate issues related to ammonia emissions. This committee should monitor advances in scientific understanding related to ammonia emissions from animal operations, and should periodically examine the need for Rulemaking to address this source with respect to nutrient loading of water resources. The committee should report its findings to the EMC on an annual basis, through the annual Tar-Pamlico Basin NPS status report or independently. The annual report should describe, at minimum, the state of scientific understanding of emissions, transport, transformation, deposition, and loading from animal operations, the state of development of control technologies, the implications for water quality, and the need for Rules or other management action. If possible, the report should also comment on the geographic scope of such Rules and their nature. The committee should include, at minimum, representatives from DWQ, NCSU, DAQ, one agricultural interest, and one environmental interest.

**RESPONSES TO THE STEERING COMMITTEE'S
CONCERNS**

The atmospheric emissions team chose not to meet in the brief remaining time to address the issues raised by the Steering Committee. In response to the comments, DAQ staff reiterated concerns they expressed in team meetings. They emphasized that all of their emissions measurements have been confined to one farm, that they have no data from different production settings and systems, that they lack a year-round characterization of farm sources and relative strengths, and that they have not begun to estimate relative effectiveness of different BMPs. They feel that Rules or a timetable for them would be premature, since they should depend on funding for more data collection. On enabling cost share, DAQ staff pointed out that BMPs must pass some effectiveness review before the SWCC approves them for cost share, and that such information does not yet exist. In addition, BMP recommendations should be well considered to avoid inter-media transfer of the problem.

The team requested that the EMC forward the following resolution to the General Assembly:

**Resolution of the North Carolina Environmental
Management Commission Requesting the North Carolina
General Assembly to Appropriate Funds for Research and
Demonstration Activities to
Quantify and Control Atmospheric Emissions of
Ammonia from Confined Animal Operations**

Whereas, the number of commercially reared animals in eastern North Carolina has grown greatly in the last 10 years; and

Whereas, the Albemarle-Pamlico estuarine system has been recognized as nutrient sensitive waters by the North Carolina Environmental Management Commission; and

Whereas, best available data based on European studies indicates that atmospheric emissions of ammonia from confined animal operations in eastern North Carolina appear to represent a significant input of nitrogen to coastal waters; and

Whereas, funds appropriated by the North Carolina General Assembly in 1996, have supported initial research toward understanding ammonia emissions and fate in North Carolina, and

Whereas, very little research and demonstration has been performed on technologies to control the effects of ammonia from animal operations on the environment; and

Whereas, additional funding is needed to continue basic science research, to develop control technologies, and to enable producers to implement controls.

Therefore, it is hereby resolved that the North Carolina Environmental Management Commission requests that the North Carolina General Assembly establish new, recurring, non-reverting funding to support research on the basic science of ammonia emissions and fate, and research and demonstration on technologies to control ammonia emissions from animal operations into the environment. The EMC requests that this funding be directed to the NC Division of Air Quality, which can distribute funds on a competitive basis. Basic science research would include data collection, trend analysis, and modeling of ammonia emissions from animal operations, transport, transformation, deposition, effects on terrestrial communities, and loading to receiving waters. Atmospheric modeling being conducted for the Neuse basin should be

expanded to the Tar-Pamlico and other coastal basins. Research and demonstration on control technologies would include adaptation of existing technologies and development of new technologies for use in the commercial animal production environment. To the greatest extent possible, control research would emphasize the following: systems approaches that address all farm sources; cost-effectiveness; practicality, and ease of implementation, operation, and maintenance.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10B - HUNTING AND TRAPPING

Notice of Rule-making Proceedings is hereby given by the North Carolina Wildlife 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 10B .0403. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 113-134; 113-273; 113-276.1; 113-291.4

Statement of the Subject Matter: Set/amend application for tags.

Reason for Proposed Action: To amend the application for fox tags to conform with changes in the fox rule. The Wildlife Resources Commission may adopt this Rule as a temporary rule pursuant to S.L. 1997-0403 following this abbreviated notice.

Comment Procedures: The record will be open for receipt of written comments and must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY

Notice of Rule-making Proceedings is hereby given by the North Carolina Wildlife 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 10F .0339. Other rules may be proposed in the

course of the rule-making process.

Authority for the rule-making: G.S. 75A-3; 75A-15

Statement of the Subject Matter: No wake zone

Reason for Proposed Action: The McDowell County Board of Commissioners initiated the no-wake zone pursuant to G.S. 75A-15 to protect public safety in the area by restricting vessel speed. The Wildlife Resources Commission may adopt this Rule as a temporary rule pursuant to G.S. 150B-21.1(a1) following this abbreviated notice.

Comment Procedures: The record will be open for receipt of written comments and must be delivered or mailed to the North Carolina Wildlife Resources Commission, 512 N. Salisbury Street, Raleigh, NC 27604-1188.

CHAPTER 18 - ENVIRONMENTAL HEALTH

Notice of Rule-making Proceedings is hereby given by the North Carolina Water Treatment Facility Operators Certification Board 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 18D .0201, .0203, .0205-.0206, .0304, .0307-.0309, .0403, .0701. Other rules may be proposed in the course of the rule-making process.

Authority for the rule-making: G.S. 90A-20 through 90A-32

Statement of the Subject Matter: Rules governing Water Treatment Facility Operators

Reason for Proposed Action: The Board plans to modify and establish regulations to meet the United States Environmental Protection Agency guidelines for operator certification. Twenty percent of a state's drinking water state revolving fund allotment will be withheld if the state is not implementing an operator certification program that meets the federal guidelines.

Comment Procedures: Comments may be submitted to John McFayden, DENR/Public Water Supply Branch, 2728 Capital Blvd., Raleigh, NC 27604.

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 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 rule cited as 15A NCAC 2B .0306. Notice of Rule-making Proceedings was published in the Register on April 1, 1999. Note: Text in bold was noticed in 13:19 of the NC Register.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 6:00 p.m. on July 13, 1999 at the Kings Mountain City Hall, 101 West Gold Street, Kings Mountain, NC.

Reason for Proposed Action: The Environmental Management Commission is proposing to reclassify Lake Montonia in Cleveland County (Broad River Basin) to include the High Quality Waters (HQW) supplemental classification. The Lake Montonia Board has submitted a request for the reclassification of Lake Montonia to include the High Quality Waters designation. 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 Division 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. Water quality studies show that Lake Montonia qualifies for HQW designation. Lake Montonia and its tributaries are proposed for reclassification from Class B to Class B HQW.

New and expanding wastewater dischargers to High Quality Waters have additional treatment requirements. There are currently no dischargers to Lake Montonia or its tributaries. Projects which require a Sedimentation and Erosion Control Plan and which drain to and are within one mile of HQW's will have more stringent land use development criteria as defined in 15A NCAC 2H .1006. Under a low density option, development would be permitted at one dwelling unit per acre, or 12% built upon area, and thirty foot stream buffers would be required. The HQW high density option, which requires the use of

stormwater controls, does not specify an upper limit on development density, nor does it require the use of stream buffers.

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 August 12, 1999. 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 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. Written comments may be submitted to: Liz Kovaschitz, DENR/Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535. (919) 733-5083, extension 572.

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 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

SECTION .0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

.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;
- (9) **August 1, 2000.**

(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.

(g) **The Schedule of Classifications and Water Quality Standards for the Broad River Basin was amended August 1, 2000 with the reclassification of the Green River [Index No. 9-29-(1)], including all tributaries, from its source to the downstream side of the mouth of Rock Creek from Class C Tr to Class B Tr HQW, and the Green River from the**

downstream side of the mouth of Rock Creek to its mouth in Lake Summit at elevation 2011 from Class C Tr to Class B Tr.

(h) The Schedule of Classifications and Water Quality Standards for the Broad River Basin was amended effective August 1, 2000 with the reclassification of Lake Montonia [Index No. 9-54-1-(1)], and all tributaries, from Class B to Class B HQW.

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

Notice is hereby given in accordance with G.S. 150B-21.2 that the ENR - Environmental Management Commission intends to amend rule(s) cited as 15A NCAC 2B .0225 and 15A NCAC 2B .0310. Notice of Rule-making Proceedings was published in the Register on April 1, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 6:00 p.m. on June 21, 1999 at the Southeastern Community College, Auditorium, 4564 Chadbourne Highway, Whiteville, NC.

Reason for Proposed Action: The Division of Water Resources and the Department of Parks and Recreation Natural Heritage Program have requested that Lake Waccamaw be reclassified to include the supplemental ORW classification. In order to be classified as ORW, a water body must be of exceptional state or national recreational or ecological significance and the waters must have exceptional water quality. In addition, the waters must also exhibit one or more of the following resource values or uses:

- (1) there are outstanding fish (or commercially important aquatic species) habitat and fisheries;
- (2) there is an unusually high level of water-based recreation or the potential for such recreation;
- (3) the waters have already received some special designation such as a North Carolina or National Wild and Scenic River, Native or Special Native Trout Waters, National Wildlife Refuge, etc. which do not provide any water quality protection;
- (4) the waters represent an important component of a state or national park or forest; or
- (5) the waters are of special ecological or scientific significance such as habitat for rare or endangered species or as areas for research and education.

Water quality analyses show that Lake Waccamaw has excellent water quality. Lake Waccamaw exhibits all five of the outstanding resource values: It is one of only two Bay Lakes in North Carolina known to support endemic fish and invertebrates. In the Waccamaw River drainage there are five fish species which currently have either federal or state protection; Lake Waccamaw is heavily utilized for a variety of water-based recreation, including fishing, boating and

swimming; Lake Waccamaw is on the Registry of Natural Heritage Areas and is considered of "National Significance" by the NC Natural Heritage Program; Lake Waccamaw is owned by the State of North Carolina and administered by the Division of Parks and Recreation; and Lake Waccamaw is of national significance in regard to its fish and highly diverse mollusc fauna, including many endemic species.

Special protection measures that apply to North Carolina ORWs are set forth in 15A NCAC 2B .0225. At a minimum, no new wastewater discharges or expansions to existing discharges are permitted, and stormwater controls for most new development are required. In addition to applying the ORW requirements to Lake Waccamaw, it is proposed that these special protection measures also apply to the upstream waters which drain to Lake Waccamaw in order to protect the excellent water quality and outstanding resource values found in the lake.

Elevated mercury levels have been detected in fish tissue throughout the Lumber River Basin, though neither a source for the mercury contamination, nor a clear boundary for it has been established. In 1993, fish consumption advisories for largemouth bass and bowfin were issued for Big Creek, which flows into Lake Waccamaw, and the Waccamaw River. They did not apply to Lake Waccamaw, where mean mercury readings in largemouth bass were below the FDA action level. Additional sampling in the Lumber River Basin found a number of occurrences of fish having mean mercury levels approaching or exceeding the FDA action level and, in 1993, a fish consumption advisory was issued for the entire Lumber River Basin. The advisory recommends that the general population consume no more than two meals of the fish per month and child-bearing women and children consume no largemouth bass or bowfin taken from this area. In June of 1997, a statewide consumption advisory on bowfin was issued.

Lake Waccamaw provides a unique and sensitive habitat for a diverse community of aquatic plants and fauna, including several species of fish and molluscs that are threatened or of special concern. Lake Waccamaw is a demonstrated outstanding resource with its excellent water quality and resource values, particularly its special ecological significance as critical habitat for the federally listed threatened Waccamaw silverside.

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 July 21, 1999. 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 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 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. Written comments may be submitted to: Liz Kovaschitz, DENR/Division of Water Quality, Planning Branch, PO Box 29535, Raleigh, NC 27626-0535, (919) 733-5083, extension 572.

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 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

.0225 OUTSTANDING RESOURCE WATERS

(a) General. In addition to the existing classifications, the Commission may classify certain unique and special surface waters of the state as outstanding resource waters (ORW) upon finding that such waters are of exceptional state or national recreational or ecological significance and that the waters have exceptional water quality while meeting the following conditions:

- (1) there are no significant impacts from pollution with the water quality rated as excellent based on physical, chemical or biological information;
- (2) the characteristics which make these waters unique and special may not be protected by the assigned narrative and numerical water quality standards.

(b) Outstanding Resource Values. In order to be classified as ORW, a water body must exhibit one or more of the following values or uses to demonstrate it is of exceptional state or national recreational or ecological significance:

- (1) there are outstanding fish (or commercially important aquatic species) habitat and fisheries;
- (2) there is an unusually high level of water-based recreation or the potential for such recreation;
- (3) the waters have already received some special designation such as a North Carolina or National Wild and Scenic River, Native or Special Native Trout Waters, National Wildlife Refuge, etc, which do not provide any water quality protection;
- (4) the waters represent an important component of a state or national park or forest; or
- (5) the waters are of special ecological or scientific significance such as habitat for rare or endangered

species or as areas for research and education.

(c) Quality Standards for ORW.

- (1) Freshwater: Water quality conditions shall clearly maintain and protect the outstanding resource values of waters classified ORW. Management strategies to protect resource values shall be developed on a site specific basis during the proceedings to classify waters as ORW. At a minimum, no new discharges or expansions of existing discharges shall be permitted, and stormwater controls for all new development activities requiring an Erosion and Sedimentation Control Plan in accordance with rules established by the NC Sedimentation Control Commission or an appropriate local erosion and sedimentation control program shall be required to follow the stormwater provisions as specified in 15A NCAC 2H .1000. Specific stormwater requirements for ORW areas are described in 15A NCAC 2H .1007.
- (2) Saltwater: Water quality conditions shall clearly maintain and protect the outstanding resource values of waters classified ORW. Management strategies to protect resource values shall be developed on a site-specific basis during the proceedings to classify waters as ORW. At a minimum, new development shall comply with the stormwater provisions as specified in 15A NCAC 2H .1000. Specific stormwater management requirements for saltwater ORWs are described in 15A NCAC 2H .1007. New non-discharge permits shall meet reduced loading rates and increased buffer zones, to be determined on a case-by-case basis. No dredge or fill activities shall be allowed where significant shellfish or submerged aquatic vegetation bed resources occur, except for maintenance dredging, such as that required to maintain access to existing channels and facilities located within the designated areas or maintenance dredging for activities such as agriculture. A public hearing is mandatory for any proposed permits to discharge to waters classified as ORW.

Additional actions to protect resource values shall be considered on a site specific basis during the proceedings to classify waters as ORW and shall be specified in Paragraph (e) of this Rule. These actions may include anything within the powers of the commission. The commission shall also consider local actions which have been taken to protect a water body in determining the appropriate state protection options. Descriptions of boundaries of waters classified as ORW are included in Paragraph (e) of this Rule and in the Schedule of Classifications (15A NCAC 2B .0302 through .0317) as specified for the appropriate river basin and shall also be described on maps maintained by the Division of Environmental Management.

(d) Petition Process. Any person may petition the Commission to classify a surface water of the state as an ORW. The petition shall identify the exceptional resource value to be protected, address how the water body meets the general criteria in Paragraph (a) of this Rule, and the suggested actions to protect the resource values. The Commission may request additional supporting information from the petitioner. The

Commission or its designee shall initiate public proceedings to classify waters as ORW or shall inform the petitioner that the waters do not meet the criteria for ORW with an explanation of the basis for this decision. The petition shall be sent to:

Director

DEHNR DENR/Division of Environmental Management
Water Quality
P.O. Box 29535

Raleigh, North Carolina 27626-0535

The envelope containing the petition shall clearly bear the notation: RULE-MAKING PETITION FOR ORW CLASSIFICATION.

(e) Listing of Waters Classified ORW with Specific Actions. Waters classified as ORW with specific actions to protect exceptional resource values are listed as follows:

- (1) Roosevelt Natural Area [White Oak River Basin, Index Nos. 20-36-9.5-(1) and 20-36-9.5-(2)] including all fresh and saline waters within the property boundaries of the natural area shall have only new development which complies with the low density option in the stormwater rules as specified in 15A NCAC 2H .1005(2)(a) within 575 feet of the Roosevelt Natural Area (if the development site naturally drains to the Roosevelt Natural Area).
- (2) Chattooga River ORW Area (Little Tennessee River Basin and Savannah River Drainage Area): the following undesignated waterbodies that are tributary to ORW designated segments shall comply with Paragraph (c) of this Rule in order to protect the designated waters as per Rule .0203 of this Section. However, expansions of existing discharges to these segments shall be allowed if there is no increase in pollutant loading:
 - (A) North and South Fowler Creeks,
 - (B) Green and Norton Mill Creeks,
 - (C) Cane Creek,
 - (D) Ammons Branch,
 - (E) Glade Creek, and
 - (F) Associated tributaries.
- (3) Henry Fork ORW Area (Catawba River Basin): the following undesignated waterbodies that are tributary to ORW designated segments shall comply with Paragraph (c) of this Rule in order to protect the designated waters as per Rule .0203 of this Section:
 - (A) Ivy Creek,
 - (B) Rock Creek, and
 - (C) Associated tributaries.
- (4) South Fork New and New Rivers ORW Area [New River Basin (Index Nos. 10-1-33.5 and 10)]: the following management strategies, in addition to the discharge requirements specified in Subparagraph (c)(1) of this Rule, shall be applied to protect the designated ORW areas:
 - (A) Stormwater controls described in Subparagraph (c)(1) of this Rule shall apply within one mile and draining to the designated ORW areas;
 - (B) New or expanded NPDES permitted wastewater discharges located upstream of the

designated ORW shall be permitted such that the following water quality standards are maintained in the ORW segment:

- (i) the total volume of treated wastewater for all upstream discharges combined shall not exceed 50 percent of the total instream flow in the designated ORW under 7Q10 conditions;
 - (ii) a safety factor shall be applied to any chemical allocation such that the effluent limitation for a specific chemical constituent shall be the more stringent of either the limitation allocated under design conditions (pursuant to 15A NCAC 2B .0206) for the normal standard at the point of discharge, or the limitation allocated under design conditions for one-half the normal standard at the upstream border of the ORW segment;
 - (iii) a safety factor shall be applied to any discharge of complex wastewater (those containing or potentially containing toxicants) to protect for chronic toxicity in the ORW segment by setting the whole effluent toxicity limitation at the higher (more stringent) percentage effluent determined under design conditions (pursuant to 15A NCAC 2B .0206) for either the instream effluent concentration at the point of discharge or twice the effluent concentration calculated as if the discharge were at the upstream border of the ORW segment;
- (C) New or expanded NPDES permitted wastewater discharges located upstream of the designated ORW shall comply with the following:
- (i) Oxygen Consuming Wastes: Effluent limitations shall be as follows: BOD = 5 mg/l, and NH₃-N = 2 mg/l;
 - (ii) Total Suspended Solids: Discharges of total suspended solids (TSS) shall be limited to effluent concentrations of 10 mg/l for trout waters and to 20 mg/l for all other waters;
 - (iii) Emergency Requirements: Failsafe treatment designs shall be employed, including stand-by power capability for entire treatment works, dual train design for all treatment components, or equivalent failsafe treatment designs;
 - (iv) Nutrients: Where nutrient overenrichment is projected to be a concern, appropriate effluent limitations shall be set for phosphorus or nitrogen, or both.
- (5) Old Field Creek (New River Basin): the undesignated

portion of Old Field Creek (from its source to Call Creek) shall comply with Paragraph (c) of this Rule in order to protect the designated waters as per Rule .0203 of this Section.

- (6) In the following designated waterbodies, no additional restrictions shall be placed on new or expanded marinas. The only new or expanded NPDES permitted discharges that shall be allowed shall be non-domestic, non-process industrial discharges. The Alligator River Area (Pasquotank River Basin) extending from the source of the Alligator River to the U.S. Highway 64 bridge including New Lake Fork, North West Fork Alligator River, Juniper Creek, Southwest Fork Alligator River, Scouts Bay, Gum Neck Creek, Georgia Bay, Winn Bay, Stumpy Creek Bay, Stumpy Creek, Swann Creek (Swann Creek Lake), Whipping Creek (Whipping Creek Lake), Grapevine Bay, Rattlesnake Bay, The Straits, The Frying Pan, Coopers Creek, Babbitt Bay, Goose Creek, Milltail Creek, Boat Bay, Sandy Ridge Gut (Sawyer Lake) and Second Creek, but excluding the Intracoastal Waterway (Pungo River-Alligator River Canal) and all other tributary streams and canals.
- (7) In the following designated waterbodies, the only type of new or expanded marina that shall be allowed shall be those marinas located in upland basin areas, or those with less than 30 slips, having no boats over 21 feet in length and no boats with heads. The only new or expanded NPDES permitted discharges that shall be allowed shall be non-domestic, non-process industrial discharges.
 - (A) The Northeast Swanquarter Bay Area including all waters northeast of a line from a point at Lat. 35° 23' 51" and Long. 76° 21' 02" thence southeast along the Swanquarter National Wildlife Refuge hunting closure boundary (as defined by the 1935 Presidential Proclamation) to Drum Point.
 - (B) The Neuse-Southeast Pamlico Sound Area (Southeast Pamlico Sound Section of the Southeast Pamlico, Core and Back Sound Area); (Neuse River Basin) including all waters within an area defined by a line extending from the southern shore of Ocracoke Inlet northwest to the Tar-Pamlico River and Neuse River basin boundary, then southwest to Ship Point.
 - (C) The Core Sound Section of the Southeast Pamlico, Core and Back Sound Area (White Oak River Basin), including all waters of Core Sound and its tributaries, but excluding Nelson Bay, Little Port Branch and Atlantic Harbor at its mouth, and those tributaries of Jarrett Bay that are closed to shellfishing.
 - (D) The Western Bogue Sound Section of the Western Bogue Sound and Bear Island Area (White Oak River Basin) including all waters within an area defined by a line from Bogue

- Inlet to the mainland at SR 1117 to a line across Bogue Sound from the southwest side of Gales Creek to Rock Point, including Taylor Bay and the Intracoastal Waterway.
- (E) The Stump Sound Area (Cape Fear River Basin) including all waters of Stump Sound and Alligator Bay from marker Number 17 to the western end of Permuda Island, but excluding Rogers Bay, the Kings Creek Restricted Area and Mill Creek.
 - (F) The Topsail Sound and Middle Sound Area (Cape Fear River Basin) including all estuarine waters from New Topsail Inlet to Mason Inlet, including the Intracoastal Waterway and Howe Creek, but excluding Pages Creek and Futch Creek.
- (8) In the following designated waterbodies, no new or expanded NPDES permitted discharges and only new or expanded marinas with less than 30 slips, having no boats over 21 feet in length and no boats with heads shall be allowed.
- (A) The Swanquarter Bay and Juniper Bay Area (Tar-Pamlico River Basin) including all waters within a line beginning at Juniper Bay Point and running south and then west below Great Island, then northwest to Shell Point and including Shell Bay, Swanquarter and Juniper Bays and their tributaries, but excluding all waters northeast of a line from a point at Lat. 35° 23' 51" and Long. 76° 21' 02" thence southeast along the Swanquarter National Wildlife Refuge hunting closure boundary (as defined by the 1935 Presidential Proclamation) to Drum Point and also excluding the Blowout Canal, Hydeland Canal, Juniper Canal and Quarter Canal.
 - (B) The Back Sound Section of the Southeast Pamlico, Core and Back Sound Area (White Oak River Basin) including that area of Back Sound extending from Core Sound west along Shackleford Banks, then north to the western most point of Middle Marshes and along the northwest shore of Middle Marshes (to include all of Middle Marshes), then west to Rush Point on Harker's Island, and along the southern shore of Harker's Island back to Core Sound.
 - (C) The Bear Island Section of the Western Bogue Sound and Bear Island Area (White Oak River Basin) including all waters within an area defined by a line from the western most point on Bear Island to the northeast mouth of Goose Creek on the mainland, east to the southwest mouth of Queen Creek, then south to green marker No. 49, then northeast to the northern most point on Huggins Island, then southeast along the shoreline of Huggins Island to the southeastern most point of Huggins Island, then south to the northeastern most point on Dudley Island, then southwest along the shoreline of Dudley Island to the eastern tip of Bear Island.
 - (D) The Masonboro Sound Area (Cape Fear River Basin) including all waters between the Barrier Islands and the mainland from Carolina Beach Inlet to Masonboro Inlet.
- (9) Black and South Rivers ORW Area (Cape Fear River Basin) [Index Nos. 18-68-(0.5), 18-68-(3.5), 18-68-(11.5), 18-68-12-(0.5), 18-68-12-(11.5), and 18-68-2]: the following management strategies, in addition to the discharge requirements specified in Subparagraph (c)(1) of this Rule, shall be applied to protect the designated ORW areas:
- (A) Stormwater controls described in Subparagraph (c)(1) of this Rule shall apply within one mile and draining to the designated ORW areas;
 - (B) New or expanded NPDES permitted wastewater discharges located one mile upstream of the stream segments designated ORW (upstream on the designated mainstem and upstream into direct tributaries to the designated mainstem) shall comply with the following discharge restrictions:
 - (i) Oxygen Consuming Wastes: Effluent limitations shall be as follows: BOD = 5 mg/l and NH₃-N = 2 mg l;
 - (ii) Total Suspended Solids: Discharges of total suspended solids (TSS) shall be limited to effluent concentrations of 20 mg/l;
 - (iii) Emergency Requirements: Failsafe treatment designs shall be employed, including stand-by power capability for entire treatment works, dual train design for all treatment components, or equivalent failsafe treatment designs;
 - (iv) Nutrients: Where nutrient overenrichment is projected to be a concern, appropriate effluent limitations shall be set for phosphorus or nitrogen, or both.
 - (v) Toxic substances: In cases where complex discharges (those containing or potentially containing toxicants) may be currently present in the discharge, a safety factor shall be applied to any chemical or whole effluent toxicity allocation. The limit for a specific chemical constituent shall be allocated at one-half of the normal standard at design conditions. Whole effluent toxicity shall be allocated to protect for chronic toxicity at an effluent concentration equal to twice that which is acceptable under flow design criteria (pursuant to 15A NCAC 2B .0206).

- (10) Lake Waccamaw ORW Area (Lumber River Basin) [Index No. 15-2]: all undesignated waterbodies that are tributary to Lake Waccamaw shall comply with Paragraph (c) of this Rule in order to protect the designated waters as per Rule .0203 of this Section.

Authority G.S. 143-214.1.

SECTION .0300 - ASSIGNMENT OF STREAM CLASSIFICATIONS

.0310 LUMBER RIVER BASIN

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

- (1) Clerk of Court:
Bladen County
Brunswick County
Columbus County
Cumberland County
Hoke County
Montgomery County
Moore County
Richmond County
Robeson County
Scotland County
- (2) North Carolina Department of ~~Environment, Health,~~
Environment and Natural Resources:
 - (A) Fayetteville Regional Office
Wachovia Building
Suite 714
Fayetteville, North Carolina
 - (B) Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, North Carolina.

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

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

- (1) March 1, 1977;
- (2) December 13, 1979;
- (3) September 14, 1980;
- (4) April 12, 1981;
- (5) April 1, 1982;
- (6) February 1, 1986;
- (7) July 1, 1990;
- (8) August 1, 1990;
- (9) August 3, 1992;
- (10) September 1, ~~1996.~~ 1996;
- (11) August 1, 2000.

(d) The Schedule of Classifications and Water Quality Standards for the Lumber River Basin was amended effective July 1, 1990 by the reclassification of Naked Creek (Index No. 14-2-6) from source to Drowning Creek including all tributaries from Class WS-III to Class WS-III ORW.

(e) The Schedule of Classifications and Water Quality Standards for the Lumber 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 Lumber River Basin was amended effective September 1, 1996 by the reclassification of the Lumber River from 2.0 miles upstream of highway 401 to a point 0.5 mile upstream of Powell Branch [Index Nos. 14-(3), 14-(4), 14-(4.5), 14-(7) and 14-(10.3)] from Classes WS-IV Sw HQW, WS-IV Sw HQW CA and C Sw HQW to Classes WS-IV&B Sw HQW, WS-IV&B Sw HQW CA and B Sw HQW.

(g) The Schedule of Classifications and Water Quality Standards for the Lumber River Basin was amended effective August 1, 2000 with the reclassification of Lake Waccamaw [Index No. 15-2] from Class B Sw to Class B Sw ORW.

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

Notice is hereby given in accordance with G.S. 150B-21.2 that the Environmental Management Commission intends to amend rule cited as 15A NCAC 2B .0317. Notice of Rule-making Proceedings was published in the Register on April 1, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 6:00 p.m. on June 24, 1999 at the Creswell Town Hall, 109 West Main Street (Fire Dept. Bldg.), Creswell, NC.

Reason for Proposed Action: The Department of Parks and Recreation's Natural Heritage Program requested that Lake Phelps be reclassified for primary recreation (Class B) and to include the supplemental ORW (Outstanding Resource Waters) classification. In order to be classified as ORW, a water body must be of exceptional state or national recreational or ecological significance and the waters must have exceptional water quality. In addition, the waters must also exhibit one or more of the following resource values or uses: (1) there are outstanding fish (or commercially important aquatic species) habitat and fisheries; (2) there is an unusually high level of water-based recreation or the potential for such recreation; (3) the waters have already received some special designation such as a North Carolina or National Wild and Scenic River, Native or Special Native Trout Waters, National Wildlife Refuge, etc., which do not provide any water quality protection; (4) the waters represent an important component of a state or national park or forest; or (5) the waters are of special ecological or scientific significance such as habitat for rare or endangered

species or as areas for research and education.

Lake Phelps is a 16,600 acre elliptical Carolina Bay and is the second largest natural lake in the state. Water quality in Lake Phelps is excellent based on physical, chemical and biological monitoring results and the lake meets several of the outstanding resource values: The lake itself, as well as an old-growth stand of remnant bald cypress on the northern shore known as Pettigrew Cypress Natural Area, are registered natural areas with the North Carolina Division of Parks and Recreation's Natural Heritage Program; The lake is an integral component of Pettigrew State Park and is administered by the North Carolina Division of Parks and Recreation. Bordering the west side of Lake Phelps is Pocosin Lakes National Wildlife Refuge which was established in 1990; The waters and adjacent park contain several species of rare or globally imperiled plants and fish. Lake Phelps and White Lake harbor the southern-most localities for the leafless watermilfoil and Lake Phelps is the only known location for northeastern bladderwort. Both of these species are considered "significantly rare" in North Carolina. Lake Phelps provides habitat for the globally imperiled Waccamaw killifish, which is only found here and at Lake Waccamaw, N.C. The lake is also a scientifically important site for the study of North Carolina's historic and prehistoric cultural heritage; and Lake Phelps is a heavily utilized recreational area. Special protection measures that apply to North Carolina ORWs are set forth in 15A NCAC 2B .0225. At a minimum, no new wastewater discharges or expansions to existing discharges are permitted, and stormwater controls for most new development are required.

The B classification is assigned to freshwaters that are used for primary recreation purposes. Primary recreation is defined in Division rules as "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." Under North Carolina rules, several criteria must be met before waters can be classified for primary recreation. These are: (1) the area must be of sufficient size and depth to support primary recreation; (2) fecal coliform concentrations must be less than 200 colonies per 100 milliliters based on a geometric mean derived from five samples taken within a 30 day period; (3) there must be no sources of water pollution which could result in a hazard to public health in close proximity to areas where recreation occurs; and (4) primary recreation must take place in an organized or on a frequent basis. Lake Phelps is used for primary recreation activities including water skiing, swimming, and jet skiing. Water quality studies indicate that Lake Phelps meets the requirements for reclassification to B waters. Wastewater dischargers to Class B waters are required to comply with reliability standards set forth in 15A NCAC 2H .0124. Reliability standards require facilities to insure continued treatment of wastewater during instances of power failure. There are no permitted dischargers to the area proposed for reclassification.

Elevated levels of mercury have been detected in fish tissue samples taken from Lake Phelps. Mean mercury levels for

largemouth bass and bowfin collected at Lake Phelps were 1.16 ppm (parts per million) and 1.4 ppm respectively. The FDA action level for mercury is 1.0 ppm. Lake Phelps is unique in that it has a minimal drainage area, receives most of its hydrologic input from the atmosphere and represents a minimally impacted system. Atmospheric mercury deposition may therefore be a significant source for the observed mercury levels, although mercury is known to occur naturally in the high organic peat soils of North Carolina. In June of 1996, the State Health Director issued a fish consumption advisory for bass and bowfin in Lake Phelps due to the elevated mercury levels. In June of 1997, a statewide consumption advisory on bowfin was issued due to unsafe mercury levels.

Lake Phelps is an important and unique resource. Water quality in Lake Phelps is considered to be excellent. In addition, Lake Phelps exhibits several resource values that demonstrate its exceptional ecological significance at both state and national levels. The ORW designation of Lake Phelps would provide recognition of this diverse and unique ecosystem.

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 July 24, 1999. 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 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. Written comments may be submitted to: Liz Kovasckitz, DENR/Division of Water Quality, Planning Branch, P.O. Box 29535, Raleigh, NC 27626-0535. (919) 733-5083, extension 572.

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 2 - ENVIRONMENTAL MANAGEMENT

SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

SECTION .0300 - ASSIGNMENT OF STREAM

CLASSIFICATIONS

.0317 PASQUOTANK RIVER BASIN

(a) ~~Places where the schedules may be inspected: 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; 1998;
- (10) August 1, 2000.

(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.

(h) The Schedule of Classifications and Water Quality Standards for the Pasquotank River Basin was amended effective August 1, 2000 with the reclassification of Lake Phelps [Index No. 30-14-4-6-1] from Class C Sw to Class B Sw ORW.

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

Notice is hereby given in accordance with G.S. 150B-21.2 that the DENR/Coastal Resources Commission intends to amend the rules cited as 15A NCAC 7H .0201, .0203, .0209, .1301, .1601, .1901, .2301; 7K .0203, .0209. Notice of Rule-making Proceedings was published in the Register on May 1, 1998.

Proposed Effective Date: August 1, 2000

Public Hearings will be conducted at the following times and locations:

Bertie County: July 13, 7:00 p.m., Bertie County Superior Courthouse, 104 Dundee Street, Windsor, NC 27983
Beaufort County: July 13, 7:00 p.m., Beaufort County District Courthouse, 112 West 2nd Street, Washington, NC 27889
Brunswick County: July 13, 7:00 p.m., Government Center, Public Assembly Bldg, County Commissioners Chambers, 45 Courthouse Drive, Bolivia, NC 28422
Craven County: July 14, 7:00 p.m., County Courthouse, 302 Broad Street, New Bern, NC 28560
Hertford County: July 14, 7:00 p.m., County Courthouse, 701 North King Street, Winton NC, 27986
Washington County: July 14, 7:00 p.m., County Courthouse, 120 Adams Street, Plymouth, NC 27962
Pamlico County: July 14, 7:00 p.m., County Courthouse, 202 Main Street, Bayboro, NC 28515

New Hanover County: July 14, 7:00 p.m., Judicial Building, 314 Princess Street, Wilmington, NC 28401

Onslow County: July 15, 7:00 p.m., County Courthouse, Court Room 1, Summer Sill Bldg., 109 Old Bridge Street, Jacksonville, NC 28540

Gates County: July 15, 7:00 p.m., County Courthouse, 202 Court Street, Gatesville, NC 27938

Carteret County: July 15, 7:00 p.m., County Courthouse, Courthouse Square, Beaufort, NC 28516

Chowan County: July 15, 7:00 p.m., County Courthouse, 101 South Broad Street, Edenton, NC 27932

Hyde County: July 15, 7:00 p.m., County Courthouse, 20 Oyster Creek Road, Swan Quarter, NC 27885

Pender County: July 15, 7:00 p.m., County Courthouse, 100 Wright Street, Burgaw, NC 28425

Tyrrell County: July 19, 7:00 p.m., Tyrrell County Finance Building, Conference Room 108, South Water Street, Columbia, NC 27925

Perquimans County: July 19, 7:00 p.m., County Courthouse Annex, 110 North Church Street, Hertford, NC 27944

Currituck County: July 19, 7:00 p.m., Currituck Middle School, 4263 Caratoke Highway, Barko, NC 27917

Dare County: July 20, 7:00 p.m., County Courthouse, Grand Jury Room, 300 Queen Elizabeth Ave, Manteo, NC 27954

Camden County: July 20, 7:00 p.m., County Courthouse, 117 North NC 343, Camden, NC 27921

Raleigh: July 20, 7:00 p.m., 430 North Salisbury Street, Dobbs Building, Room 2115, Raleigh, NC 27603

Pasquotank County: July 22, 7:00 p.m. County Courthouse, Court Room A, 206 East Main Street, Elizabeth City, NC 27909

Reason for Proposed Action: *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 shorelines adjacent to public trust waters.*

Comment Procedures: *Contact Charles Jones, Assistant Director, Division of Coastal Management, 151-B Hwy 24, Morehead City, NC 28570, (252) 808-2808. Mailed written comments will be accepted through July 22, 1999.*

Fiscal Note: *Rules 15A NCAC 7H .0209; 7K .0209 do affect the expenditures or revenues of local government funds and State funds subject to the Executive Budget Act, Article 1 of Chapter 143. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

Fiscal Note: *Rules 15 NCAC 7H .0201, .0203, .1301, .1601, .1901, .2301; 7K .0203 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 7 - COASTAL MANAGEMENT

SUBCHAPTER 7H - STATE GUIDELINES FOR AREAS OF ENVIRONMENTAL CONCERN

SECTION .0200 - THE ESTUARINE SYSTEM

.0201 ESTUARINE AND OCEAN SYSTEM CATEGORIES

The first AECs discussed collectively are those water and land areas of the coast that contribute enormous economic, social, and biological values to North Carolina as components of the estuarine system. Included within the estuarine and ocean system are the following AEC categories: estuarine waters, coastal wetlands, public trust areas, and estuarine and public trust shorelines. Each of the AECs is either geographically within the estuary or, because of its location and nature, may significantly affect the estuary.

Authority G.S. 113A-113(b)(1); 113A-113(b)(2); 113A-113(b)(5); 113A-113(b)(6)b; 113A-124.

.0203 MANAGEMENT OBJECTIVE OF THE ESTUARINE AND OCEAN SYSTEM

It is the objective of the Coastal Resources Commission to conserve and manage estuarine waters, coastal wetlands, public trust areas, and estuarine and public trust shorelines, as an interrelated group of AECs, so as to safeguard and perpetuate their biological, social, economic, and aesthetic values and to ensure that development occurring within these AECs is compatible with natural characteristics so as to minimize the likelihood of significant loss of private property and public resources. Furthermore, it is the objective of the Coastal Resources Commission to protect present common-law and statutory public rights of access to the lands and waters of the coastal area.

Authority G.S. 113A-102(b)(1); 113A-102(b)(4); 113A-107(a); 113A-107(b); 113A-124.

.0209 COASTAL SHORELINES

~~(a) Rationale. As an AEC, estuarine shorelines, although characterized as dry land, are considered a component of the estuarine system because of the close association with the adjacent estuarine waters. This Section defines estuarine shorelines, describes the significance, and articulates standards for development.~~

~~(b)(a) Description. The Coastal Shorelines AEC category includes estuarine shorelines and public trust shorelines. Estuarine shorelines are those non-ocean shorelines which are especially vulnerable to erosion, flooding, or other adverse effects of wind and water and are intimately connected to the estuary. This area extends extending from the mean high water level or normal water level along the estuaries, sounds, bays, and brackish waters as set forth in an agreement adopted by the Wildlife Resources Commission and the Department of Environment, Health, Environment and Natural Resources [described in Rule .0206(a) of this Section] for a distance of 75 feet landward. For those estuarine shorelines immediately contiguous to waters classified as Outstanding Resource Waters~~

by the Environmental Management Commission, the estuarine shoreline AEC shall extend to 575 feet landward from the mean high water level or normal water level, unless the Coastal Resources Commission establishes the boundary at a greater or lesser extent following required public hearing(s) within the affected county or counties. Public trust shorelines are those non-ocean shorelines immediately contiguous to public trust areas, as defined in Rule 7H .0207(a) of this Section, located inland of the dividing line between coastal fishing waters and inland fishing waters as set forth in that agreement and extending 30 feet landward of the normal high water level.

(e)(b) Significance. Development within estuarine coastal shorelines influences the quality of estuarine life and is subject to the damaging processes of shore front erosion and flooding.

(d)(c) Management Objective. To ensure shoreline development is compatible with both the dynamic nature of estuarine coastal shorelines and the values and management objectives of the estuarine and ocean system.

(e)(d) Use Standards.

- (1) All development projects, proposals, and designs shall substantially preserve and not weaken or eliminate natural barriers to erosion, including, but not limited to, peat marshland, resistant clay shorelines, and cypress-gum protective fringe areas adjacent to vulnerable shorelines.
- (2) All development projects, proposals, and designs shall limit the construction of impervious surfaces and areas not allowing natural drainage to only so much as is necessary to adequately service the major purpose or use for which the lot is to be developed. Impervious surfaces shall not exceed 30 percent of the AEC area of the lot, unless the applicant can effectively demonstrate, through innovative design, that the protection provided by the design would be equal to or exceed the protection by the 30 percent limitation. Redevelopment of areas exceeding the 30 percent impervious surface limitation can be permitted if impervious areas are not increased and the applicant designs the project to comply with the intent of the rule to the maximum extent practical.
- (3) Within the estuarine and public trust shoreline AEC's, new development, with the exception of water dependent uses, shall be located a distance of 30 feet landward of the normal high water level. Water dependent uses are those described in Rule 7H .0208(a)(1) of this Section.
- (3)(4) All development projects, proposals, and designs shall comply with the following mandatory standards of the North Carolina Sedimentation Pollution Control Act of 1973:
 - (A) All development projects, proposals, and designs shall provide for a buffer zone along the margin of the estuarine water which is sufficient to confine visible siltation within 25 percent of the buffer zone nearest the land disturbing development.
 - (B) No development project proposal or design shall permit an angle for graded slopes or fill

which is greater than an angle which can be retained by vegetative cover or other adequate erosion-control devices or structures.

- (C) All development projects, proposals, and designs which involve uncovering more than one acre of land shall plant a ground cover sufficient to restrain erosion within 30 working days of completion of the grading; provided that this shall not apply to clearing land for the purpose of forming a reservoir later to be inundated.

- (4)(5) Development shall not have a significant adverse impact on estuarine resources.
- (5)(6) Development shall not significantly interfere with existing public rights of access to, or use of, navigable waters or public resources.
- (6)(7) No major public facility shall be permitted if such facility is likely to require extraordinary public expenditures for maintenance and continued use, unless it can be shown that the public purpose served by the facility outweighs the required public expenditures for construction, maintenance, and continued use. For the purpose of this standard, "public facility" shall mean a project which is paid for in any part by public funds.
- (7)(8) Development shall not cause major or irreversible damage to valuable, documented historic architectural or archaeological resources.
- (8)(9) Established common-law and statutory public rights of access to the public trust lands and waters in estuarine areas shall not be eliminated or restricted. Development shall not encroach upon public accessways nor shall it limit the intended use of the accessways.
- (9)(10) Within the AEC for shorelines contiguous to waters classified as Outstanding Resource Waters by the EMC, no CAMA permit will be approved for any project which would be inconsistent with applicable use standards adopted by the CRC, EMC or MFC for estuarine waters, public trust areas, or coastal wetlands. For development activities not covered by specific use standards, no permit will be issued if the activity would, based on site specific information, materially degrade the water quality or outstanding resource values unless such degradation is temporary.
- (f)(e) Specific Use Standards for ORW Estuarine Shorelines.
 - (1) Within the AEC for estuarine shorelines contiguous to waters classified as ORW by the EMC, all development projects, proposals, and designs shall limit the built upon area to no more than 25 percent of the AEC area of the land to be developed or any lower site specific percentage as adopted by the EMC as necessary to protect the exceptional water quality and outstanding resource values of the ORW, and shall:
 - (A) have no stormwater collection system;
 - (B) provide a buffer zone of at least 30 feet from the mean high water line;

- (C) otherwise be consistent with the use standards set out in Paragraph (e) of this Rule.
- (2) Development (other than single-family residential lots) more than 75 feet from the mean high water line but within the AEC which as of June 1, 1989:
- (A) has a CAMA permit application in process, or
 - (B) has received preliminary subdivision plat approval or preliminary site plan approval under applicable local ordinances, and in which substantial financial resources have been invested in design or improvement; will be permitted in accordance with rules and standards in effect as of June 1, 1989.
- (3) Single-family residential lots which would not be buildable under the low-density standards defined in Paragraph (f)(1) of this Rule may be developed for single-family residential purposes so long as the development complies with those standards to the maximum extent possible.
- (4) For ORW's nominated subsequent to June 1, 1989, the effective date in Paragraph (f)(2) of this Rule shall be the dates of nomination by the EMC.

Authority G.S. 113A-107(b); 113A-108; 113A-113(b); 113A-124.

**SECTION .1300 - GENERAL PERMIT TO MAINTAIN:
REPAIR AND CONSTRUCT BOAT RAMPS
ALONG ESTUARINE SHORELINES AND INTO
ESTUARINE AND PUBLIC TRUST WATERS**

.1301 PURPOSE

This permit will allow the construction of boat ramps of suitable materials along estuarine and public trust shorelines and into estuarine and public trust waters AECs according to the authority provided in Subchapter 7J .1100 and according to the following guidelines. This permit will not apply to the Ocean Hazard AEC.

Authority G.S. 113A-107(a); 113A-107(b); 113A-113(b); 113A-118.1; 113A-124.

**SECTION .1600 - GENERAL PERMIT FOR THE
INSTALLATION OF AERIAL AND SUBAQUEOUS
UTILITY LINES WITH ATTENDANT STRUCTURES
IN COASTAL WETLANDS: ESTUARINE WATERS:
PUBLIC TRUST WATERS AND ESTUARINE AND
PUBLIC TRUST SHORELINES**

.1601 PURPOSE

This permit will allow for the installation of utility lines both aerially and subaqueously in the coastal wetland, estuarine water, public trust areas and estuarine and public trust shoreline AECs according to the authority provided in Subchapter 7J .1100 and according to the following guidelines. This general permit shall not apply to the ocean hazard AECs.

Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1.

**SECTION .1900 - GENERAL PERMIT TO ALLOW
FOR TEMPORARY STRUCTURES WITHIN
ESTUARINE AND OCEAN HAZARD AECs**

.1901 PURPOSE

This permit will allow for the placement of temporary structures within estuarine and public trust shorelines, and ocean hazard AECs according to the provisions provided in Subchapter 7J .1100 and according to the guidelines in this Subchapter.

Authority G.S. 113-229(c1); 113A-107(a)(b); 113A-113(b); 113A-118.1.

**SECTION .2300 - GENERAL PERMIT FOR
REPLACEMENT OF EXISTING BRIDGES AND
CULVERTS IN ESTUARINE WATERS, ESTUARINE
SHORELINES, PUBLIC TRUST AREAS,
AND COASTAL WETLANDS**

.2301 PURPOSE

A general permit for replacement of existing bridges and culverts in estuarine waters, estuarine and public trust shorelines, public trust areas, and coastal wetlands shall be obtained pursuant to the rules in 15A NCAC 7J .1100 and this Section to replace existing bridges and culverts in estuarine water, estuarine shoreline, and public trust shorelines, public trust areas and coastal wetland AECs.

Authority G.S. 113A-107; 113A-118.1; 113A-124.

**SUBCHAPTER 7K - ACTIVITIES IN AREAS OF
ENVIRONMENTAL CONCERN
WHICH DO NOT REQUIRE A COASTAL AREA
MANAGEMENT ACT PERMIT**

**SECTION .0200 - CLASSES OF MINOR
MAINTENANCE AND IMPROVEMENTS WHICH
SHALL BE EXEMPTED FROM THE CAMA MAJOR
DEVELOPMENT PERMIT REQUIREMENT**

**.0203 PRIVATE BULKHEADS: RIPRAP: AND PIERS
EXEMPTED**

(a) The NC Coastal Resources Commission hereby exempts from the Coastal Area Management Act permit requirement work in the estuarine ~~shoreline~~ shoreline, public trust shoreline, and public trust waters areas of environmental concern necessary to maintain, repair, and construct private bulkheads with backfill, and to place riprap material along shorelines, and construct piers or mooring facilities in waters of North Carolina. This exemption is subject to the following conditions and limitations:

- (1) The activities exempted by this Rule shall be private, non-commercial activities conforming to the standards and conditions contained in this Rule. This exemption does not apply to development associated with multi-unit residential developments larger than

duplexes or to marinas, commercial harbors, community or neighborhood boat access, fish houses or similar commercial activities.

- (2) This exemption is applicable only along estuarine shorelines void of wetland vegetation types described in G.S. 113-229, or where all construction is to be accomplished landward of such vegetation, or where the pier is elevated above said wetlands.
- (3) This exemption only applies to bulkheads, riprap, and piers in non-oceanfront areas.
- (4) This exemption does not eliminate the need to obtain any other required federal, state, or local authorization.
- (5) Before beginning any work under this exemption the Department of ~~Environment, Health, Environment~~ and Natural Resources representative must be notified of the proposed activity to allow on-site review of the bulkhead, riprap material, or pier alignment. Notification can be by telephone, in person, or in writing. Notification must include:
 - (A) the name, address, and telephone number of landowner and location of work including county, nearest community, and water body;
 - (B) the dimensions of the proposed pier, bulkhead with backfill, or the area dimensions to be covered by placement of riprap material;
 - (C) confirmation that a written statement has been obtained, signed by the adjacent riparian property owners, indicating that they have no objections to the proposed work. (These statements do not have to be presented at the time of notification of intent to perform work, but the permittee must make it available to CRC agents at their request.)
- (6) The landowner must agree to perform the work authorized in this Rule in a manner so as to conform with standards for development in the estuarine or public trust shoreline area of environmental concern.

(b) Bulkheads and Riprap: Conditions

- (1) The permittee shall maintain structure of areas of riprap material authorized in this Rule in good condition.
- (2) Bulkhead with backfill, and placement of riprap material exempted by this Rule shall be limited to a maximum shoreline length of 200 feet.
- (3) The bulkhead backfill and riprap materials must be obtained from an upland source.
- (4) No excavation is exempted under this Rule except that which may be required for installation of the bulkhead wall, deadmen, cables, piles, etc.
- (5) The proposed bulkhead alignment or area for placement of riprap material must be staked or flagged by the landowner in consultation with, or approved by, a state or federal permit officer prior to any construction activity. The bulkhead must be positioned so as not to extend more than an average distance of two feet waterward of the mean high water contour; in no place shall the bulkhead be more than

five feet waterward of the mean high water contour. Construction activities must begin 90 days after approval of the alignment or area.

- (6) The bulkhead must be solid structure constructed of treated wood, concrete slabs, metal sheet piles, corrugated asbestos sheeting, or similar materials. A structure made of organic material, tires, car bodies, or similar materials is not considered a bulkhead.
- (7) The bulkhead must be structurally tight so as to prevent seepage of backfill materials through the bulkhead. The bulkhead must be constructed prior to any backfilling activities.
- (8) Riprap material must consist of clean rock or masonry materials such as marl, brick, or broken concrete. Materials such as tires, car bodies, scrap metal, paper products, tree limbs, wood debris, organic material or similar material are not considered riprap.

(c) Piers: Conditions

- (1) Exemptions for pier construction along natural shorelines are available only for lots with shoreline lengths 75 feet or greater. Exemptions may be used on shorelines in human-made canals and basins regardless of shoreline length.
- (2) Piers and mooring facilities must not exceed 100 feet in total length off-shore; must not be within 150 feet of the edge of a federally maintained channel; must not extend past the four foot mean low water contour line (four foot depth at mean low water) of the water body; must not exceed six feet in width; must not include an enclosed structure; and must not interfere with established navigation rights of other users of the water body and must have a minimum setback of 15 feet between any part of the pier and the adjacent property owners' areas of riparian access. The line of division of areas of riparian access shall be established by drawing a line along the channel or deep water in front of the properties, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. The four foot mean low water restriction shall not apply to piers constructed in canals and basins dredged from areas above normal high water (NHW) or normal water level (NWL).
- (3) This exemption shall not apply to docks and piers being built within shellfish franchises or leases unless the applicant for authorization to construct can provide written confirmation of no objections to the proposal from the lessee.
- (4) Piers authorized by this exemption shall be for the exclusive use of the land owner, and shall not provide either leased or rented docking space or any other commercial services. Piers and mooring facilities designed to provide docking space for more than two boats shall, because of their greater potential for adverse impacts, be reviewed through the permitting process, and, therefore, are not authorized by this exemption.

- (5) Piers and docks shall in no case extend more than 1/4 the width of a natural water body, canal or basin. Measurements to determine widths of the water body, canals or basins shall be made from the waterward edge of any coastal wetland vegetation which borders the water body. The 1/4 length limitation shall not apply when the proposed pier is located between longer piers within 200 feet of the applicant's property. However, the proposed pier shall not be longer than the pier head line established by the adjacent piers, nor longer than 1/3 the width of the water body.
- (6) Any portion of a pier (either fixed or floating) extending from the main structure and six feet or less in width shall be considered either a "T" or a finger pier.
- (7) Any portion of a pier (either fixed or floating) greater than six feet wide shall be considered a platform or deck.
- (8) "T"s, finger piers, platforms, and decks of piers must not exceed a combined total area of 200 square feet.
- (9) Platforms and decks shall have no more than six feet of any dimension extending over coastal wetlands and shall be elevated at least three feet above any coastal wetland substrate as measured from the bottom of the decking.

Authority: G.S. 113A-103(5)(c); 113A-118(a).

**.0209 EXEMPTION/ACCESSORY
USES/MAINTENANCE
REPAIR/REPLACEMENT**

(a) Accessory uses that are directly related to the existing dominant use, but not within the exclusion set out in G.S. 113A-103(5)(b)(6) and that require no plumbing, electrical or other service connections and do not exceed 200 square feet shall be exempt from the CAMA minor development permit requirement if they also meet the criteria set out in Paragraph (c) of this Rule.

(b) Any structure or part thereof may be maintained, repaired or replaced in a similar manner, size and location as the existing structure without requiring a permit, unless such repair or replacement would be in violation of the criteria set out in Paragraph (c) of this Rule. This exemption applies to those projects that are not within the exclusion for maintenance and repairs as set out in G.S. 113A-103(5)(b)(5) and Rule .0103 of this Subchapter.

(c) In order to be eligible for the exemptions described in Paragraphs (a) and (b) of this Rule, the proposed development activity must meet the following criteria:

- (1) the development must not disturb a land area of greater than 200 square feet on a slope of greater than 10 percent;
- (2) the development must not involve removal, damage, or destruction of threatened or endangered animal or plant species;
- (3) the development must not alter naturally or artificially created surface drainage channels;

- (4) the development must not alter the land form or vegetation of a frontal dune;
- (5) the development must not be within ~~twenty~~ 30 feet of ~~any permanent surface waters; normal water level;~~ and
- (6) the development must be consistent with all applicable use standards and local land use plans in effect at the time the exemption is granted.

Authority: G.S. 113A-103(5)(b); 113A-103(5)(c); 113A-111; 113A-118(a); 113A-120(8).

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

**CHAPTER 20 - BOARD OF REGISTRATION FOR
FORESTERS**

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Registration for Foresters intends to adopt the rule cited as 15 NCAC 20 .0123 and amend the rules cited as 15 NCAC 20 .0101, .0103-.0106, .0117, .0120, .0122. Notice of Rule-making Proceedings was published in the Register on April 1, 1999.

Proposed Effective Date: August 1, 2000

A Public Hearing will be conducted at 1:30 p.m. on June 22, 1999 at the Wake County Office Park, Agriculture Building, Room 107, 4001 Cary Drive, Raleigh, NC.

Reason for Proposed Action: The 1997 Legislature passed HB 577 which amended Chapter 89B of the General Statutes changing procedures for registration for foresters and making registration mandatory instead of voluntary.

Comment Procedures: Mail written comments to NC Board of Foresters, PO Box 27393, Raleigh, NC 27611 by July 1, 1999 or make oral presentation at public hearing. Written copy of oral comments encouraged.

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.

SECTION .0100 - GENERAL

.0101 PURPOSE OF PROGRAM

~~The State Board of Registration for Foresters has the statutory duty and authority to administer a voluntary program of registration of foresters. These rules shall govern the registration program of the Board. The rules in this Chapter shall govern the registration program for foresters.~~

Authority: G.S. 89B-6.

.0103 QUALIFICATIONS FOR REGISTRATION

All North Carolina resident applicants requesting registration without examination are required to furnish with their applications the following:

- (1) A legible copy of their official college transcripts, covering the period for which credit is claimed, and showing evidence of graduation. An applicant with a bachelor's degree in a curriculum other than forestry but with a master of forestry, master of science or higher degree in forestry from a school or college of forestry accredited at the time of graduation by the Society of American Foresters shall be considered to qualify.
- (2) A record of two or more years of experience in the practice of forestry. Such experience shall have been gained after receiving the qualifying degree in forestry and shall be relevant and adequate in the judgement of the Board.
- (3) Five references, as defined in Rule .0005.
- (a) An application may be obtained from the Secretary of the Board.
- (b) An applicant shall submit an application to the Secretary which shall include:

- (1) Legible official college transcripts, if applicable.
- (2) Five references as required in Rule .0105 of this Section.
- (3) Proof of professional work experience.
- (4) Payment of application fee as set out in Rule .0107 of this Section.

(c) A school of Forestry accredited by the Society of American Foresters is an approved school or college for purposes of G.S. 89B-9. An applicant who holds a forestry degree from a university outside of the United States may qualify for registration if he/she provides verification to the Board which demonstrates that the degree is equivalent to SAF accreditation standards.

(d) For purposes of G.S. 89B a forestry curriculum means a major in forestry.

(e) The Board may issue a forester-in-training certificate to an applicant who has completed the education requirement in G.S. 89B-9(a)(1). The certificate will be valid for up to 4 years. The time period may be extended by the Board in case of hardship beyond the control of the applicant.

Authority G.S. 89B-6; 89B-9.

.0104 EXAMINATIONS

(a) An applicant who does not have a forestry degree from an approved school and two years' experience in forestry must take an examination prepared and administered by the Board. An "approved school" is one that appears on the list of schools approved by the Society of American Foresters. This list is adopted by reference under G.S. 150B-14(c). Examinations will be offered twice annually. An applicant may attempt the examination no more than three times within any six year period.

(b) When the Board finds that an examination for registration is required, the applicant will be so notified. The applicant will be notified by certified mail, return receipt requested, not less than 30 days before the examination, as to the time and place of

the examination. If the applicant fails to respond within ten days after the receipt of this notice, it will be assumed that the applicant does not plan to take the examination. The applicant's file will then be considered inactive and no further action will be initiated by the Board. The application fee will be forfeited. Examinations will be written. Applicants shall be notified by certified mail, return receipt requested, not less than 30 days before the examination, as to the time and place of the examination. If the applicant fails to respond at least ten days prior to the date of the exam, it shall be assumed that the applicant does not plan to take the examination. The applicant's file shall then be considered inactive and no further action shall be initiated by the Board. The application fee shall be forfeited.

(c) The passing grade on any examination for registration shall be 70 percent. The passing grade for registration shall be 70 percent on any exam. The determination by the Board as to the score on each exam shall be final.

(d) Re-examination fees shall be forty dollars (\$40.00) per examination.

Authority G.S. 89B-6; 89B-12.

.0105 REFERENCES

(a) Five references are required to satisfy the Board of an applicant's professional experience and moral character. Three or more shall be practicing foresters in North Carolina. No more than one of the practicing forester references shall be an employee of the same firm or agency as the applicant. No member of the Board shall act as a reference for any applicant for registration.

(b) If a majority of the references do not recommend approval, the Board shall reject the applicant.

(c) If two of the references do not recommend approval, the Board shall request more detailed input from all references to use in evaluating the applicant.

Authority G.S. 89B-6; 89B-9.

.0106 REGISTRATION FEES

All Fees sent to the Board for any segment of the registration process must be in the form of money orders, bank drafts, or checks payable to the Secretary, Board of Registration for Foresters. The fee for registration shall be is thirty five dollars (\$35.00), (\$35.00), fifteen dollars (\$15.00) of which shall accompany the application and the remaining twenty dollars (\$20.00) of which shall be paid on request before issuance of the registration certificate be submitted by the applicant at the time of application. An approved applicant shall submit an additional fee of forty dollars (\$ 40.00) to receive a certificate of registration. Annual renewal fee shall be is twenty dollars (\$20.00) thirty dollars (\$30.00), annually.

Authority G.S. 89B-6; 89B-10; 89B-11.

.0117 RECIPROCITY

(a) Non-residents and individuals who have moved to of North Carolina who wish to become registered under Chapter 89B, and who are legally registered or licensed as a registered or

licensed forester in another state in their own state, shall submit evidence of such registration of licensing to the Board. A statement from the Board of registration or licensing in the state in which they are legally registered or licensed attesting that they are legally registered or licensed to practice forestry in that state, and indicating the final date on which their registration or license remains valid, shall be accepted by the Board as adequate evidence. ~~The Board may require additional evidence if it is considered necessary.~~ This provision shall not apply unless the state in which the applicant is registered or licensed observes similar rules of reciprocity in regard to persons registered under the provisions of G.S. 89B.

(b) If the Board determines that the reciprocity applicant is qualified to practice as a registered forester in North Carolina, ~~the applicant will receive a letter from the Board conveying this approval for a stated period of time the Board shall issue a letter conveying this approval.~~

(c) The fee for obtaining such reciprocity shall be the same as is charged a North Carolina resident seeking to obtain registration in the state of North Carolina. (See Rule .0106 of this Section).

(d) ~~An applicant who is a resident of a state that does not have a registration or licensing law will not be granted reciprocity in North Carolina, even though the applicant has a valid license of registration in another state of states.~~

(e) Initial applications for reciprocity shall be acted upon by the Board. Applications for renewal of reciprocity shall be handled administratively by the secretary.

Authority G.S. 89B-6; 89B-9.

.0120 CERTIFICATION OF CONSULTING FORESTERS

~~The Board will receive affidavits annually from each registered forester seeking approval to practice as a consulting forester. Each affidavit must be on the proper form supplied by the Board and submitted by June 30 each year. These affidavits will be reviewed by the Secretary-Treasurer, and all that clearly meet the requirements of these Rules will be approved by the Secretary-Treasurer. Any applications which are questionable or appear not to meet the requirements of these Rules will be voted on by the Board.~~

(a) Each registered forester seeking approval to practice as a consulting forester shall file an affidavit annually. Each affidavit must be on the proper form supplied by the Board and shall be submitted by June 30 each year. These affidavits will be reviewed by the Secretary-Treasurer, and all that clearly meet the requirements of these rules shall be approved by the Secretary-Treasurer.

(b) All consulting foresters must either have a BS or higher degree with a forestry major from a school or college of forestry accredited by the Society of American Foresters or shall have passed the Board's comprehensive written examination designed to show knowledge approximating that obtained through graduation from a four year school or college of forestry accredited by SAF.

(c) All affidavits which are questionable or appear to not meet the requirements of G.S. 89B will be voted on by the Board.

Authority G.S. 89B-2; 89B-6.

.0122 HANDLING OF COMPLAINTS

(a) Complaints received by the Board of improper, illegal, incompetent or otherwise unethical activity or conflict of interest Notarized letters received by the Board identifying specific complaints of gross negligence, fraud, deceit or flagrant misconduct in the practice of forestry or incompetence by a registered forester will be followed up by written correspondence to the accused requesting a response to the accusation, or by other means deemed appropriate by the Board. The Board may choose to request the complainant, the accused registrant, or both to personally appear before the Board.

(b) Following a review of the facts and verification of the violation, the Board ~~will~~ may choose appropriate action, which may include:

(1) revocation or suspension of the individual as a registered forester as outlined in Rule .0046 .0106 of this Chapter Section.

(2) revocation or certification as a consulting forester, or warning to the registrant outlining the violation and directing that it be stopped.

(3) a warning to the registrant outlining the violation and directing that it be stopped.

(c) Complaints alleging violations as outlined in G.S. 89B-15 by individuals who are not registered foresters or are not certified as consulting foresters will be acted on by the Board.

(1) When, in the opinion of the Board, a violation exists, a letter will be sent to the accused outlining the concern and directing that the violation desist. A letter of concurrence with this directive will be requested from the violating party.

(2) When the violation is considered flagrant, or when it continues even after a warning by the Board, the Board may choose to refer the case to the Attorney General recommending legal action against the violator.

Authority G.S. 89B-2; 89B-6; 89B-13; 89B-15; 150B-3; 150B-38.

.0123 CONTINUING EDUCATION

(a) All registered foresters shall attend continuing education courses annually to maintain their registration. Ten CFE (Continuing Forester Education) credits approved by the Society of American Foresters' CFE Coordinator shall be required each year, beginning with the fiscal year July 1, 1999 through June 30, 2000, except as outlined in paragraph (c) of this Rule. CFE's must be SAF category 1, 2, 3 or 4, with at least six being from category 1.

(b) Registered foresters shall verify CFE compliance to the Board with each annual renewal.

(c) Those registered foresters who provide information to the Board which verifies that they are fully retired from a career in forestry may qualify to continue their registration by earning a minimum of three category 1, 2, 3, or 4 CFE's annually.

Authority G.S. 89B-6; 89B-11.

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 2 - DEPARTMENT OF AGRICULTURE

Rule-making Agency: *North Carolina Board of Agriculture*

Rule Citation: *2 NCAC 52B .0207*

Effective Date: *April 30, 1999*

Findings Reviewed and Approved by: *Beecher R. Gray*

Authority for the rule-making: *G.S. 106-307.5; 106-316.1; 106-317; 106-318*

Reason for Proposed Action: *North Carolina has made extraordinary progress in reducing the number of herds quarantined because of pseudorabies virus (PRV) from approximately 600 in 1997 to only 26 at present. In order to protect the progress made in the program, the import regulations must be amended and the amendments must become effective immediately. The changes will ensure that imported swine are from negative herds. Swine originating from Stage II, II/III, and III areas have a higher degree of risk than swine from Stages IV and V; therefore, additional precautions must be taken and they must be taken immediately.*

Comment Procedures: *Written comments may be submitted to David S. McLeod, Secretary, North Carolina Board of Agriculture, PO Box 27647, Raleigh, NC 27611.*

CHAPTER 52 - VETERINARY DIVISION

SUBCHAPTER 52B - ANIMAL DISEASE

SECTION .0200 - ADMISSION OF LIVESTOCK TO NORTH CAROLINA

.0207 IMPORTATION REQUIREMENTS: SWINE

(a) All swine imported into the state, except by special permit or for immediate slaughter, shall be accompanied by an official health certificate issued by a state, federal, or accredited veterinarian stating that they are free from any signs of an infectious or communicable disease and are not known to have been exposed to same. The health certificate shall contain the ear tag number of each animal or other identification acceptable to the State Veterinarian. Swine imported for feeding or breeding purposes shall be moved in clean and disinfected trucks or other conveyances.

(b) Breeding swine and all other swine being shipped to a breeding swine premise shall originate from a "Validated Brucellosis-Free" herd or a "Validated Brucellosis-Free" State and shall originate from a "Qualified Pseudorabies-Negative" herd, Qualified-Negative Gene-Altered Vaccinated Herd (QNV)

or Pseudorabies Stage IV or V (Free) State. Breeding swine and all other swine being shipped to a breeding swine premise originating from Stage II, II/III or III areas or states must also be isolated and test negative to a statistical 95/5 sample test using an approved pseudorabies serological test between 30 and 60 days after arrival and before being added to the herd.

(c) All feeder swine imported into the state shall be accompanied by an official health certificate issued by a state, federal or accredited veterinarian stating or showing that:

- (1) No pseudorabies vaccine has been used in the herd of origin, unless the herd is a pseudorabies-monitored vaccinated herd; and A permit for entry was obtained within 30 days prior to entry for feeder pigs that originate from a Stage II, II/III, III state or area and that they shall be quarantined until slaughtered; or
- (2) The swine were tested and found negative for pseudorabies within 30 days prior to importation; or
- (3)(2) The swine originated from a pseudorabies-free area as determined by the State Veterinarian; or
- (4)(3) The swine originated from a Qualified Pseudorabies Negative Herd; or
- (5)(4) The swine originated from a monitored feeder pig herd; herd; or
- (5) Swine from Stage II, II/III, III areas or states originated from a Qualified Negative herd or a pseudorabies monitored herd or tested negative on a statistical (95/10) test within 30 days prior to shipment.

(d) Healthy swine for feeding purposes may move directly from a farm of origin in a contiguous state on which they have been located for not less than 30 days to a livestock market or stockyard in North Carolina that has been state-federal approved for handling feeder swine, without the health certificate required herein, provided such swine are accompanied by proof of the pseudorabies status of the herd of origin acceptable to the State Veterinarian. Such swine shall be inspected by a state or federal inspector or approved accredited veterinarian prior to sale at the market.

(e) Healthy swine may be shipped into the state for immediate slaughter without a health certificate provided they go directly to a slaughtering establishment approved by the State Veterinarian, or to a state-federal approved livestock market or stockyard for sale to an approved slaughtering establishment for immediate slaughter only.

(f) Sporting swine:

(1) For purposes of this Rule:

- (A) "Sporting swine" means any domestic or feral swine intended for hunting purposes and includes the progeny of these swine whether or not the progeny are intended for hunting purposes;
- (B) "Feral swine" means any swine that have lived any part of its life free roaming.

- (2) No person shall import sporting swine into North Carolina unless:
 - (A) The swine have not been fed garbage within their lifetime; and the herd of origin is validated brucellosis free and qualified pseudorabies negative; and
 - (B) The swine have not been members of a herd of swine known to be infected with brucellosis or pseudorabies within the previous 12 months; and
 - (C) The individual animals six months of age or over have a negative brucellosis and pseudorabies test within 30 days of movement; and
 - (D) The swine have not been a part of a feral swine population or been exposed to swine captured from a feral swine population within the previous 12 months; and
 - (E) The swine are accompanied by an official health certificate or certificate of veterinary inspection identifying each animal by ear tag, breed, age, sex, the state of origin, and certifying that the swine meet the import requirements of North Carolina.

Note: Violation of this Rule is a misdemeanor under G.S. 106-307.6, which provides for a five hundred dollar (\$500.00) fine, six months' imprisonment, or both.

History Note: Authority G.S. 106-307.5; 106-316.1; 106-317; 106-318;

Eff. April 1, 1984;

Amended Eff. February 1, 1996; May 1, 1992; June 1, 1989; January 1, 1989;

Temporary Amendment Eff. April 30, 1999.

TITLE 10 - DEPARTMENT OF HEALTH & HUMAN SERVICES

Rule-making Agency: *Commission for Mental Health, Developmental Disabilities and Substance Abuse Services*

Rule Citation: *10 NCAC 45G .0410*

Effective Date: *June 15, 1999*

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

Authority for the rule-making: *G.S. 90-100; 143B-147*

Reason for Proposed Action: *This Rule refers to the use of "controlled substances in emergency kits" in long-term care nursing facilities. There is broad recognition among clinicians who have studied the pathophysiology and management of pain that clinicians often seriously undertreat pain. A request was presented to the Commission for Mental Health, Developmental Disabilities and Substance Abuse Services to approve the*

proposed amendment to this Rule. The acuity level of nursing facility residents has increased markedly over the past few years. However, the rules governing controlled substances for residents have not been modified in more than 20 years. The requested changes will greatly enhance the ability to meet emergency medical needs of residents, yet maintain adequate safeguards, accountability, and security of emergency medications.

Comment Procedures: *Anyone wishing to comment should contact Charlotte F. Hall, Rule-making Coordinator, Commission for MH/DD/SAS, 325 N. Salisbury Street, Raleigh, NC 27603, phone 919/733-0596.*

CHAPTER 45 - COMMISSION FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES AND SUBSTANCE ABUSE SERVICES

SUBCHAPTER 45G - MANUFACTURERS: DISTRIBUTORS; DISPENSERS AND RESEARCHERS OF CONTROLLED SUBSTANCES

SECTION .0400 - MISCELLANEOUS

.0410 SPECIAL CONTROLLED SUBSTANCES EMERGENCY KIT

A (special) controlled substances emergency kit shall be permitted in those skilled nursing facilities, intermediate care facilities and combination facilities which are licensed with the Department of Human Resources: Health and Human Services:

- (1) The controlled substances emergency kit shall contain not more than five ~~seven~~ controlled drug entities (Schedules II-V) as determined by the medical staff of the facility with the approval of the pharmaceutical services committee.
- (2) Controlled substances for emergency use shall be obtained through purchase orders from the licensed pharmacist who regularly provides medications to the facility and its patients. When Schedule II drugs are purchased, federal Drug Enforcement Administration order forms must be used.
- (3) Controlled substances for emergency use shall be provided in a single unit-dose form.
- (4) A facility shall be permitted to possess not more than ~~three~~ five doses of each controlled drug entity for each 50 licensed beds or fraction thereof. The ~~three~~ five doses of each drug entity may be of the same or differing concentrations.
- (5) The controlled emergency drug supply shall be used only for a bona fide medical emergency, to meet the urgent needs of patients, consistent with good medical practice. ~~The need for such use shall be documented in the patient's medical record consistent with applicable state and federal statutes and regulations, and shall not serve as a routine source of medication for facility patients.~~

- (6) ~~The attending physician shall substantiate in writing in the patient record the necessity for the use of any controlled substance contained in the emergency kit.~~
- (7)(6) The controlled substance emergency kit shall be securely locked and stored with access limited to authorized personnel. ~~stored in a securely locked, substantially constructed cabinet governing the storage of controlled substances.~~
- (8)(7) Only those persons designated by the director of the facility shall have access to the controlled substances emergency kit.
- (9)(8) The pharmacist-supplier of the controlled drugs for emergency use shall have primary responsibility for the proper control and accountability of such drugs in the facility.
- (10)(9) No person, individual, practitioner or facility shall be permitted to perform by virtue of these regulations any act otherwise prohibited by law.

- (11)(10) Nothing in these regulations shall compel any licensed pharmacist to provide controlled drugs for emergency use to any facility against his professional judgment.
- (12)(11) All pertinent provisions of Article 3, Section 8, of the North Carolina Board of Pharmacy rules and regulations relating to emergency kits generally shall apply.
- (13)(12) Exceptions to these regulations shall not be made unless otherwise provided by law.
- (14)(13) Each registrant desiring to maintain a controlled substance emergency kit must be registered with the Federal Drug Enforcement Administration or receive an exemption from registration by that agency.

*History Note: Authority G.S. 90-100; 143B-147;
 Eff. June 30, 1978;
 Amended Eff. September 30, 1978;
 Temporary Amendment Eff. June 15, 1999.*

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, June 17, 1999, 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, June 14, 1999, 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
John Arrowood
Laura Devan
Jim Funderburke
David Twiddy

Appointed by House

Paul Powell, Chairman
Anita White, 2nd Vice Chairman
Mark Garside
Steve Rader
George Robinson

RULES REVIEW COMMISSION MEETING DATES

June 17, 1999
July 15, 1999
August 19, 1999
September 16, 1999

October 21, 1999
November 18, 1999
December 16, 1999

LOG OF FILINGS

RULES SUBMITTED: APRIL 20, 1999 THROUGH MAY 20, 1999

AGENCY/DIVISION	RULE NAME	RULE	ACTION
JUSTICE/CRIMINAL JUSTICE EDUCATION & TRAINING STANDARDS COMMISSION			
	Minimum Standards for Correctional Off.	12 NCAC 9B .0107	Amend
	Minimum Standards for Probation/Parole Off.	12 NCAC 9B .0109	Amend
	Minimum Stds/Probation/Parole Intake Off	12 NCAC 9B .0110	Amend
	Minimum Standards for Parole Case Analysts	12 NCAC 9B .0112	Amend
	Minimum Standards Probation/Parole Off.	12 NCAC 9B .0113	Amend
	Minimum Stds Probation/parole Intensive Off	12 NCAC 9B .0115	Amend
	Administration of Criminal Justice Schools	12 NCAC 9B .0201	Amend
	Responsibilities of the School Director	12 NCAC 9B .0202	Amend
	Admission of Trainees	12 NCAC 9B .0203	Amend
	Training Course Enrollment	12 NCAC 9B .0204	Amend
	Basic Training-Law Enforcement Officers	12 NCAC 9B .0205	Amend
	Basic Training-Correctional Officers	12 NCAC 9B .0206	Amend
	Basic Training-State Youth Services Officers	12 NCAC 9B .0207	Amend
	Basic Training-Probation/Parole Officers	12 NCAC 9B .0208	Amend
	Specialized Instructor Training-Firearms	12 NCAC 9B .0226	Amend
	Specialized Instructor Training-Driving	12 NCAC 9B .0227	Amend
	Basic Training-Wildlife Enforcement Officers	12 NCAC 9B .0228	Amend
	Specialized Instructor Training	12 NCAC 9B .0232	Amend
	Specialized Instructor Training	12 NCAC 9B .0233	Amend
	General Instructor Certification	12 NCAC 9B .0302	Amend
	Terms and Conditions	12 NCAC 9B .0303	Amend
	Specific Instructor Certification	12 NCAC 9B .0304	Amend
	Terms and Conditions	12 NCAC 9B .0305	Amend
	Instructor Certification Renewal	12 NCAC 9B .0312	Amend

Evaluation of Training Waiver	12 NCAC 9B .0403	Amend
Trainee Attendance	12 NCAC 9B .0404	Amend
Completion of Basic Training	12 NCAC 9B .0405	Amend
Comprehensive Written Examination	12 NCAC 9B .0406	Amend
Satisfaction of Minimum Training Req.	12 NCAC 9B .0407	Repeal
Comprehensive Written Exam	12 NCAC 9B .0414	Amend
Satisfaction of Minimum Training	12 NCAC 9B .0415	Amend
Pre-Delivery Training Course Report	12 NCAC 9C .0211	Amend
Post-Delivery Training Course Report	12 NCAC 9C .0212	Amend
Report of Training Course Completion	12 NCAC 9C .0213	Amend
Reports of Training Course Presentation	12 NCAC 9C .0403	Amend
Failure to Qualify	12 NCAC 9E .0107	Amend

JUSTICE/NC SHERIFFS' EDUCATION AND TRAINING STANDARDS

Definitions	12 NCAC 10B .0103	Amend
Basic Law Enf. Training Course for Deputy	12 NCAC 10B .0502	Amend
Evaluation for Training Waiver	12 NCAC 10B .0505	Amend
Trainee Attendance	12 NCAC 10B .0506	Repeal
Completion of Basic Law Enf. Course	12 NCAC 10B .0507	Repeal
Written Exam	12 NCAC 10B .0508	Repeal
Satisfaction of Minimum Training Req.	12 NCAC 10B .0509	Repeal
Detention Officer Certification Course	12 NCAC 10B .0601	Amend
Admin. of Detention Officer Cert. Course	12 NCAC 10B .0703	Amend
Limited Lecturer Certification	12 NCAC 10B .0908	Amend
General Provisions	12 NCAC 10B .1002	Amend
Purpose	12 NCAC 10B .1401	Adopt
General Provisions	12 NCAC 10B .1402	Adopt
Basic Reserve Deputy Sheriff Prof. Cert.	12 NCAC 10B .1403	Adopt
Intermediate Reserve Deputy Sheriff Cert	12 NCAC 10B .1404	Adopt
Advanced Reserve Deputy Sheriff Cert	12 NCAC 10B .1405	Adopt
How to Apply	12 NCAC 10B .1406	Adopt

DENR/MARINE FISHERIES COMMISSION

Endangered or Threatened Species	15 NCAC 3I .0107	Amend
Applicability of Rules: Joint Waters	15 NCAC 3Q .0106	Amend

DENR/WILDLIFE RESOURCES COMMISSION

Chasing Deer by Dogs in Certain Counties	15 NCAC 10B .0109	Amend
Wild Boar (Both Sexes)	15 NCAC 10B .0204	Amend

EDUCATION, STATE BOARD OF

Purchasing Flexibility Exemption	16 NCAC 6B .0108	Adopt
Nature of Licensure	16 NCAC 6C .0102	Amend
State Board of Education Action	16 NCAC 6C .0103	Amend
Application for Approval; Criteria	16 NCAC 6C .0202	Amend
State Board Review Stds/Approval Actions	16 NCAC 6C .0205	Amend
Consortium-Based Prog./Innovative Prog.	16 NCAC 6C .0206	Amend
Prospective Teacher Scholarship Loans	16 NCAC 6C .0207	Amend
General Information	16 NCAC 6C .0301	Amend
Credit	16 NCAC 6C .0302	Amend
Program Requirements for Licensure	16 NCAC 6C .0303	Amend
License Patterns	16 NCAC 6C .0304	Amend
Licenses/Non-Teacher Education Graduates	16 NCAC 6C .0305	Amend
License Endorsement	16 NCAC 6C .0306	Amend
License Renewal	16 NCAC 6C .0307	Amend
Expired Licenses	16 NCAC 6C .0308	Amend
Reciprocity in Licensure	16 NCAC 6C .0309	Amend
Temporary Permit	16 NCAC 6C .0311	Amend

License Suspension and Revocation	16 NCAC 6C .0312	Amend
Criminal History Checks	16 NCAC 6C .0313	Amend
General Provisions	16 NCAC 6C .0501	Amend
Graduation Requirements	16 NCAC 6D .0103	Amend
Disposition of Old Textbooks	16 NCAC 6D .0210	Amend
Testing Requirements and Opportunities	16 NCAC 6D .0301	Amend
Test Administration	16 NCAC 6D .0302	Amend
Accountability Coordinator	16 NCAC 6D .0303	Amend
End-of-Course Tests	16 NCAC 6D .0305	Amend
Interscholastic Athletics	16 NCAC 6E .0202	Amend
Driver Training	16 NCAC 6E .0301	Amend
Accreditation Procedures	16 NCAC 6G .0202	Repeal
Due Process Protections	16 NCAC 6G .0308	Amend
Suspension of Powers/Duties of School Bds	16 NCAC 6G .0309	Amend
General Knowledge Test for Licensed Staff	16 NCAC 6G .0311	Adopt
Charter School Advisory Committee	16 NCAC 6G .0502	Adopt
Definitions	16 NCAC 6H .0101	Amend
Complaint Procedures for Federal Programs	16 NCAC 6H .0103	Amend
Administration/Special Education Programs	16 NCAC 6H .0105	Amend
Non-Instructional Special Education Services	16 NCAC 6H .0106	Amend
Special Ed. Assessment/Placement Proc	16 NCAC 6H .0107	Amend
Surrogate Parents/Children/Special Needs	16 NCAC 6H .0108	Amend
Confidentiality: Access/Special Ed. Record	16 NCAC 6H .0109	Amend
Special Education Due Process Procedures	16 NCAC 6H .0110	Amend

STATE BOARDS/COSMETIC ART EXAMINERS, STATE BOARD OF

Definitions	21 NCAC 14A .0101	Amend
Office Hours	21 NCAC 14A .0103	Amend
Purpose and Responsibility	21 NCAC 14A .0105	Amend
Prerequisites	21 NCAC 14C .0202	Amend
Applications for Salon License	21 NCAC 14F .0101	Amend
Newly Established Residential Salons	21 NCAC 14F .0105	Amend
Space Requirements	21 NCAC 14G .0103	Amend
Withdrawals	21 NCAC 14I .0104	Amend
Report of Enrollment	21 NCAC 14I .0107	Amend
Summary of Cosmetic Art Education	21 NCAC 14I .0109	Amend
Time Requirements According to Hours	21 NCAC 14J .0103	Amend
Internships	21 NCAC 14J .0208	Amend
Approval/Credit/Cosmetology Instructor	21 NCAC 14J .0501	Amend
Course of Study	21 NCAC 14K .0102	Amend
Live Model Performances	21 NCAC 14K .0107	Amend
Qualifications-Cosmetologists Teachers	21 NCAC 14L .0101	Amend
Qualifications-Manicurists Teachers	21 NCAC 14L .0105	Amend
Teacher Training Curriculum	21 NCAC 14L .0216	Amend
Applicants Licensed as Teachers	21 NCAC 14L .0303	Amend
Time and Place of Examinations	21 NCAC 14N .0101	Amend
Initial Applications and Fees	21 NCAC 14N .0102	Amend
General Examination Instructions	21 NCAC 14N .0103	Amend
Live Model Requirements	21 NCAC 14N .0104	Amend
Mannequin Requirements	21 NCAC 14N .0105	Amend
Failure to Appear for Examination	21 NCAC 14N .0108	Amend
Passing Grade for Examination	21 NCAC 14N .0110	Amend
Review of Examination	21 NCAC 14N .0112	Amend
Re-Examination	21 NCAC 14N .0113	Amend
Examination Theory Section	21 NCAC 14N .0601	Amend
Examination Practical Section	21 NCAC 14N .0602	Amend
Examination Theory Section	21 NCAC 14N .0701	Amend
Examination Practical Section	21 NCAC 14N .0702	Amend

RULES REVIEW COMMISSION

Uniforms	21 NCAC 14O .0101	Adopt
Course of Study	21 NCAC 14O .0102	Adopt
Equipment and Instruments	21 NCAC 14O .0103	Adopt
Services Performed	21 NCAC 14O .0104	Adopt
Identification Pins	21 NCAC 14O .0105	Adopt
Live Model Performances	21 NCAC 14O .0106	Adopt
Sanitation	21 NCAC 14O .0107	Adopt
Schedule of Civil Penalties	21 NCAC 14P .0101	Adopt
Qualifications for Licensing Teachers	21 NCAC 14P .0102	Adopt
Temporary Employment Permit	21 NCAC 14P .0103	Adopt
Licensing of Cosmetic Art Shops	21 NCAC 14P .0104	Adopt
Renewals: Expired Licenses	21 NCAC 14P .0105	Adopt
Licenses Required	21 NCAC 14P .0106	Adopt
Licenses to be Posted	21 NCAC 14P .0107	Adopt
Rev. of Licenses/Other Disciplinary Meas	21 NCAC 14P .0108	Adopt
Inspections	21 NCAC 14P .0109	Adopt
Licensing of Beauty Salons	21 NCAC 14P .0110	Adopt
Establishment of Cosmetic Art Schools	21 NCAC 14P .0111	Adopt
Sanitary Ratings	21 NCAC 14P .0112	Adopt
Operations of Schools of Cosmetic Art	21 NCAC 14P .0113	Adopt
Cosmetology Curriculum	21 NCAC 14P .0114	Adopt
Sanitary Ratings	21 NCAC 14P .0115	Adopt
Civil Penalty Procedures	21 NCAC 14P .0116	Adopt

STATE BOARDS/DENTAL EXAMINERS, BOARD OF

Dentists	21 NCAC 16M .0101	Amend
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STATE BOARDS/EXAMINERS OF ELECTRICAL CONTRACTORS

Specially-Arranged Examinations	21 NCAC 18B .0208	Amend
Annual License Fees	21 NCAC 18B .0404	Amend

RULES REVIEW COMMISSION**May 20, 1999
MINUTES**

The Rules Review Commission met on May 20, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Vice Chairman Teresa Smallwood, Steven P. Rader, Jim Funderburk, Laura Devan, David R. Twiddy, Mark P. Garside, and George S. Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Thomas R. West	Poyner & Spruill
Denise Stanford	N C Board of Pharmacy
Frank Crawley	Attorney General
Dedra Alston	DENR
Jessica Gill	DENR/Coastal Resources Commission
Barb Rote	DENR/Wildlife Resources Commission

APPROVAL OF MINUTES

The meeting was called to order at 10:03 a.m. with Vice Chairman Smallwood presiding. She asked for any discussion, comments, or corrections concerning the minutes of the April 15, 1999 meeting. There being none, the minutes were approved.

FOLLOW-UP MATTERS

15A NCAC 10B .0105 and .0212: DENR/Wildlife Resources Commission – The rewritten rules submitted by the agency were approved by the Commission.

21 NCAC 46 .1804: NC Board of Pharmacy – The rewritten rule submitted by the agency was approved by the Commission contingent upon receiving a technical change before the rule is forwarded to the Office of Administrative Hearings. The rule was subsequently received. Commissioners Smallwood, Devan, and Robinson voted not to approve the rule.

21 NCAC 46: NC Board of Pharmacy – No action was necessary on the request for a declaratory ruling.

LOG OF FILINGS

Vice Chairman Smallwood presided over the review of the log and all rules were unanimously approved with the following exception:

15A NCAC 7H .2404: DENR/Coastal Resources Commission – The Commission objected to this rule due to ambiguity. In paragraph (c), it is not clear what constitutes "significant interference with navigation or use of waters by the public." In (d), it is not clear what constitutes or is meant by "adversely affect areas which possess historic, cultural, scenic, conservation, or recreational values." In (e), it is not clear what is meant by the terms "significantly affect," "quality of the human environment" and "unnecessarily endanger." In November and December of 1997, the Rules Review Commission objected to identical language in nine other rules which were ultimately rewritten.

COMMISSION PROCEDURES AND OTHER MATTERS

Mr. DeLuca stated that there is approximately \$4,000 remaining in the budget for 1998-99 that can possibly be used for computer upgrades. Ms. Cox is at a health benefits conference today and Friday.

The next meeting will be on June 17, 1999.

The meeting adjourned at 10:53 a.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. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.

OFFICE OF ADMINISTRATIVE HEARINGS

Chief Administrative Law Judge
JULIAN MANN, III

Senior Administrative Law Judge
FRED G. MORRISON JR.

ADMINISTRATIVE LAW JUDGES

Sammie Chess Jr.
Beecher R. Gray
Melissa Owens
Meg Scott Phipps

Robert Roosevelt Reilly Jr.
Dolores O. Smith
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
ADMINISTRATION				
Occaneechi Band of the Saponi Nation v NC Comm of Indian Affairs	96 DOA 0006	Smith	12/07/98	13 13 NCR 1075
Carlton L. Coleman v Administration, Division of Purchase and Contract	98 DOA 1016	Phipps	12/16/98	
Unique Printing, Inc v NC A&T, Bobby E. Aldrich, Dir of Purchasing, NC A&T, and Evelyn H Gales, Asst Dir of Purchasing, NC A&T	98 DOA 1743	Owens	02/15/99	
ADMINISTRATIVE HEARINGS, OFFICE OF				
Steven Todd McKinnon v Office of Administrative Hearings	99 OAH 0082	Phipps	03/09/99	
Henry E. Traywick V Office of Administrative Hearings	99 OAH 0464	Owens	04/22/99	
ALCOHOLIC BEVERAGE CONTROL COMMISSION				
Alcoholic Beverage Control Commission v Kenneth Jerome	97 ABC 1205	Phipps	07/23/98	13 11 NCR 933
Alcoholic Beverage Control Commission v Jesse Jacob Joyner, Jr	97 ABC 1438	Phipps	06/19/98	
Alcoholic Beverage Control Commission v Trade Oil Company, Inc	98 ABC 0033	Reilly	08/21/98	
Alcoholic Beverage Control Commission v Las Palmas of Newton, Inc	98 ABC 0189	Gray	03/12/99	
Alcoholic Beverage Control Commission v Pantana Bobs, Inc	98 ABC 0293	Reilly	09/17/98	
Alcoholic Beverage Control Comm v Partnership T/A C & J's Shipwreck	98 ABC 0296	Morrison	08/19/98	
Alcoholic Beverage Control Comm v Abdelhakeem Murawch Saleh	98 ABC 0308	Gray	02/16/99	
Alcoholic Beverage Control Comm v Harold Webster Hadnott	98 ABC 0324	Smith	12/02/98	
Alcoholic Beverage Control Commission v Axis Entertainment	98 ABC 0357*	Reilly	07/02/98	
Sokha Huor Ramadneh v Alcoholic Beverage Control Commission	98 ABC 0382	Smith	06/30/98	13 03 NCR 350
Alcoholic Beverage Control Commission v Delores Williams Alnaqib	98 ABC 0392	Chess	07/30/98	
Alcoholic Beverage Control Commission v Axis Entertainment	98 ABC 0401*	Reilly	07/02/98	
Alcoholic Beverage Control Commission v James Aubrey Stephenson	98 ABC 0494	Chess	09/01/98	
Alcoholic Beverage Control Commission v Bridgette Dee Williams	98 ABC 0501	Reilly	08/11/98	
Alcoholic Beverage Control Commission v Robert Lee, Inc	98 ABC 0518	Gray	08/11/98	
Alcoholic Beverage Control Comm v Partnership, T/A Variety Pic Up #21	98 ABC 0714	Morrison	10/09/98	
Tarus Jackson v Alcoholic Beverage Control Commission	98 ABC 0768	Smith	07/13/98	
Linda Melton Harris v Alcoholic Beverage Control Commission and City of Charlotte	98 ABC 0820	Owens	02/26/99	
Alcoholic Beverage Control Comm v Simple Elegance Restaurants, Inc	98 ABC 0850	Phipps	10/26/98	
Alcoholic Beverage Control Comm v Daniel Hinton Green	98 ABC 0889	Morrison	11/06/98	
Alcoholic Beverage Control Comm v Zaheer Ahmad Bajwa	98 ABC 0960	Owens	10/30/98	
Alcoholic Beverage Control Comm v Partnership T/A Club Old Times	98 ABC 1071	Owens	01/29/99	
Alcoholic Beverage Control Comm v Kendall L Brumby	98 ABC 1158	Chess	03/05/99	
Alcoholic Beverage Control Comm v Jerald Taft Howell, Jr	98 ABC 1171	Smith	12/03/98	

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
Alcoholic Beverage Control Comm v Kendall L. Brumby	98 ABC 1204	Chess	03/03/99	
Alcoholic Beverage Control Commission v Ronald Hardman	98 ABC 1249	Gray	03/29/99	
Alton Olliviera Perry v Alcoholic Beverage Control Commission	98 ABC 1298	Owens	11/23/98	
Nedall Hassan Ahmad Hassan v Alcoholic Beverage Control Comm	98 ABC 1320	Gray	03/18/99	
Alcoholic Beverage Control Comm v Khaled Mohamad Alzer	98 ABC 1321	Gray	02/05/99	
Alcoholic Beverage Control Comm v Abdelhakeem M. Saleh	98 ABC 1341	Morrison	02/12/99	
William Randall Banks v Alcoholic Beverage Control Commission	98 ABC 1355	Gray	02/10/99	
Alcoholic Bev Control Comm v Partnership T/A Alston's Conv Store	98 ABC 1374	Chess	02/16/99	
Alcoholic Beverage Control Comm v Fast Fare, Inc.	98 ABC 1398	Gray	02/02/99	
Geo D Bishop T/A The Next Level v Alcoholic Bev Control Comm	98 ABC 1415	Chess	03/24/99	
Alcoholic Beverage Control Comm v Frank Talley	98 ABC 1452	Phipps	02/08/99	
Yahya Ahamed Abullah Mosed v Alcoholic Beverage Control Comm	98 ABC 1470	Chess	03/05/99	
Alcoholic Beverage Control Comm v Cynthia Van Dassan	98 ABC 1478	Reilly	03/15/99	
Alcoholic Beverage Control Comm v Reyad Atallah Salahaldeen T/A Bravo Mini Mart	98 ABC 1624	Gray	03/30/99	
Phillip Allen Powell, Monika K. Powell, Jana Vlasta Kozlik v Doyle D Alley, ABC Commission, Shon Talley, ALE Agent	99 ABC 0036	Smith	02/23/99	
BOARD OF CONTRACTORS				
Heritage Pointe Builders, Inc & Patrick Hannon v Bd of Contractors	97 LBC 0243	Phipps	08/17/98	
CRIME CONTROL AND PUBLIC SAFETY				
Loretta Battle v Crime Victims Compensation Commission	97 CPS 0654	Gray	08/10/98	
Cynthia Austin v Crime Victims Compensation Commission	97 CPS 1499	Reilly	08/12/98	13 05 NCR 533
Marcella Skaggs v Crime Victims Compensation Commission	98 CPS 0065	Owens	06/05/98	
Talmadge E. McHenry v Crime Victims Compensation Commission	98 CPS 0116	Gray	06/24/98	
Linda Caldwell Wiggins v Crime Victims Compensation Commission	98 CPS 0153	Chess	08/27/98	
Kenneth T Lytle v Crime Victims Compensation Commission	98 CPS 0176	Reilly	07/06/98	
Shirley Henryhand v Crime Victims Compensation Commission	98 CPS 0263	Morrison	08/11/98	
Brenda Jean Thomas v Crime Victims Compensation Commission	98 CPS 0314	Morrison	08/11/98	
Tareyton L. Johnson v Crime Victims Compensation Commission	98 CPS 0327	Reilly	09/02/98	
Mia Thompson-Clark v Crime Victims Compensation Commission	98 CPS 0349	Chess	05/14/98	
Godfrey Akenabor v Crime Victims Compensation Commission	98 CPS 0427	Owens	10/30/98	13 12 NCR 1015
Terry Ramey d/b/a Ramey's Wrecker Svc. v NC State Highway Patrol	98 CPS 0460	Smith	02/22/99	
Valine H. Thompson v Crime Victims Compensation Commission	98 CPS 0674	Morrison	11/18/98	
Rufus K. Williams v Department of Crime Control & Public Safety	98 CPS 0676	Morrison	10/23/98	
Aaron Anouna Pinkney v Crime Victims Compensation Commission	98 CPS 0699	Chess	03/10/99	
Faye E. Powell v Crime Victims Compensation Commission	98 CPS 0808	Owens	08/28/98	
Hubert Lee Grant v Crime Victims Compensation Commission	98 CPS 0839	Morrison	10/21/98	13 10 NCR 853
Mary Elizabeth Troutman v Crime Victims Compensation Comm	98 CPS 0901	Smith	11/12/98	
Brenda H. Alston v Crime Victims Compensation Commission	98 CPS 0952	Phipps	11/10/98	
Shirley P. Chen v Crime Victims Compensation Commission	98 CPS 1015	Phipps	09/17/98	
Lorine Smith v Crime Victims Compensation Commission	98 CPS 1050	Gray	02/15/99	
Catherine Walker v Crime Victims Compensation Commission	98 CPS 1129	Gray	02/15/99	
Martha Bumpass v Crime Victims Compensation Commission	98 CPS 1154	Gray	02/15/99	
Kenneth B. Hall, Sr v Crime Victims Compensation Commission	98 CPS 1170	Mann	12/21/98	
Dunnie G. Smith v Crime Victims Compensation Commission	98 CPS 1201	Reilly	01/04/99	
Felicia House v Crime Victims Compensation Commission	98 CPS 1273	Smith	01/25/99	
Antonia F. Jones v Office of Administrative Hearings	98 CPS 1403	Gray	01/29/99	
Leon A. Vereen v Crime Victims Compensation Commission	98 CPS 1525	Chess	03/03/99	
John D. Cutshaw v Crime Victims Compensation Commission	98 CPS 1646	Mann	03/25/99	
Roswell Foreman, F. Mac Hodges v Crime Victims Compensation Comm	98 CPS 1695	Morrison	04/08/99	
Peggy Witkowski v Crime Victims Compensation Commission	99 CPS 0172	Chess	05/03/99	
ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR				
Thomas A. Truelove, Jr, PE v Bd /Examiners/Engineers and Surveyors	98 ELS 0047	Mann	11/12/98	13 12 NCR 1035
Kenneth D. Suttles v Bd /Registration/Engineers and Land Surveyors	98 ELS 0099	Mann	02/09/99	13 18 NCR 1578
ENVIRONMENT AND NATURAL RESOURCES				
Albert C. Wright, Jr v Environment, Health, & Natural Resources	96 EHR 0610*17	Gray	01/29/99	
Albert C. Wright, Jr v Environment, Health, & Natural Resources	96 EHR 0630*17	Gray	01/29/99	
Ladane Williamson and Odell Decarol Williamson v DENR	96 EHR 1926	Gray	09/01/98	13 07 NCR 609
Teresa Hefflin v Department of Environment and Natural Resources	97 EHR 0409	Morrison	07/29/98	
Ronald Prater v Department of Environment and Natural Resources	97 EHR 0451	Reilly	07/02/98	
Alltel Carolina, Inc v Dept of Environment and Natural Resources	97 EHR 0729	Gray	01/28/99	
James F. Smith v Department of Environment and Natural Resources	97 EHR 1365	Chess	07/17/98	
William Hickman v Department of Environment and Natural Resources	97 EHR 1388	Gray	11/06/98	13 11 NCR 928
Hickory Alliance v Department of Environment and Natural Resources and Godfrey Lumber Company, Inc	97 EHR 1607	Reilly	07/17/98	
John M. Silvia v Department of Environment and Natural Resources	97 EHR 1646	Chess	06/03/98	
Godfrey Lumber Company, Inc v Dept /Environment & Natural Resources and Hickory Alliance	97 EHR 1676	Reilly	07/17/98	

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Gregory B. Jackson, Brenda R. Jackson v. Greene Cty. Hlth. Dept., ENR	98 EHR 0042	Reilly	07/02/98	
Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0072*2	Gray	06/25/98	
Scotland Water, Cedar Circle v. Environment and Natural Resources	98 EHR 0236	Smith	06/09/98	
Womble & Company v. Dept. of Environment and Natural Resources	98 EHR 0345	Chess	11/05/98	
Eric Glenn Harrison v. Environment and Natural Resources	98 EHR 0373	Reilly	08/28/98	
Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0448*2	Gray	06/25/98	
Mid South Water Systems, Inc. v. Environment and Natural Resources	98 EHR 0548	Gray	12/02/98	
Wilbur E. Earp v. Department of Environment and Natural Resources	98 EHR 0606	Smith	10/21/98	
Debra Clements v. Department of Environment and Natural Resources	98 EHR 0609	Owens	03/18/99	
Norell Bahrs v. Carteret Cty. Health Dept., DENR	98 EHR 0884	Owens	11/02/98	
Charles Davis v. Department of Environment and Natural Resources	98 EHR 0890	Owens	11/09/98	
J.C. Faw v. Department of Environment and Natural Resources	98 EHR 0957	Gray	12/11/98	
Unicon Concrete, Inc. v. Dept. of Environment and Natural Resources	98 EHR 0990	Mann	01/14/99	
Hugh & Bonnie Mills v. Dept. of Environment and Natural Resources	98 EHR 1090	Phipps	12/08/98	
Janice Spruill v. Department of Environment and Natural Resources	98 EHR 1215	Reilly	01/27/99	
JM's Professional Construction Svcs., Ltd. v. DENR	98 EHR 1217	Owens	12/21/98	
Ronald E. Bennett v. Environment and Natural Resources	98 EHR 1237	Owens	12/29/98	
Don W. Hunt v. Halifax County Health Department	98 EHR 1285	Gray	12/17/98	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1375*27	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1376*27	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1377*27	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1378*27	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1379*27	Gray	04/27/99	
Wayne D. Magee v. Department of Environment and Natural Resources	98 EHR 1471	Phipps	02/02/99	
Karen J. Dixon, Myra Jones, Alphonzo Dixon v. Nash Cty. Health Dept.	98 EHR 1475	Reilly	02/10/99	
A&S Construction, Inc. v. Dept. of Environment and Natural Resources	98 EHR 1476	Gray	03/25/99	
Amos Vaughan v. Department of Environment and Natural Resources	98 EHR 1538	Reilly	01/15/99	
Vivian Alderman, Caboose Restaurant v. Environment & Nat. Resources	98 EHR 1690	Reilly	03/08/99	
H&S Marina T/A Tulls Bay Marina v. Dept. Env. & Natural Resources	98 EHR 1719	Chess	04/28/99	
Jim Gooch v. Environmental Health Sec., Alamance County Health Dept.	99 EHR 0279	Owens	04/23/99	
Division of Air Quality				
Sebring Dev., Patrick Queen/John Amirate v. DENR, Air Quality	98 EHR 0926	Phipps	12/11/98	
John Beard v. DENR, Division of Air Quality	98 EHR 1314	Gray	01/29/99	
Jerry Bryant v. DENR, Division of Air Quality	98 EHR 1416	Wade	03/01/99	
Division of Coastal Management				
Preston Warren v. Division of Coastal Management, Wilmington, NC	98 EHR 0177	Phipps	10/05/98	
Marion T. Noe v. DENR, Division of Coastal Management	98 EHR 0976	Smith	12/02/98	
Division of Environmental Health				
Gerald P. Sigal v. DENR, Division of Environmental Health	98 EHR 0051	Smith	10/02/98	
Ronnie Lee Hamill v. Pitt Cty. Health Dept., Environmental Health Div.	98 EHR 1200	Smith	12/29/98	
Joe Seichilone v. Crave Natural Resources, Div. of Environmental Health	98 EHR 1286	Chess	01/07/99	
Ralph K. Crotts v. Burke County Env. Health Dept., Septic Tank Div.	98 EHR 1334	Owens	01/14/99	
Carl D. Wicker v. Alamance Cty. Health Dept., Env. Health Division	98 EHR 1718	Wade	02/03/99	
Division of Environmental Management				
Save Our Rivers, Inc., et al v. Town of Highlands, EHNR, Env. Mgmt., William W. Cobey, Jr., Secretary	91 EHR 0377	Gray	07/30/98	
US Dept. of the Interior Nat'l Park Svce. v. Environmental Mgmt. Comm.	98 EHR 0410	Smith	08/20/98	13 06 NCR 578
Division of Marine Fisheries				
Lady LaShanda Melvin Bryant v. EHNR, Division of Marine Fisheries	97 EHR 1459	Gray	07/20/98	
Gerald Moore, et al v. DENR, Division of Marine Fisheries	98 EHR 0322	Owens	10/08/98	13 09 NCR 797
Kenny Lee Tillett v. DENR, Division of Marine Fisheries	99 EHR 0336	Owens	04/22/99	
Division of Solid Waste Management				
Steve Aldridge, et al v. DENR, Division of Solid Waste Management	98 EHR 0665	Chess	09/09/98	13 07 NCR 617
Division of Water Quality				
Raymond L. Martin v. DENR, Division of Water Quality	98 EHR 0590	Gray	09/21/98	
Riverhills, Inc. and W.E. Dansey, Jr. v. DENR, Division of Water Quality	98 EHR 0703	Gray	03/22/99	13 20 NCR 1756
Worsley Oil Companies, Inc. v. DENR, DWQ, Groundwater Section	98 EHR 0735	Chess	08/24/98	
Upchurch, Inc. v. DENR, Division of Water Quality	98 EHR 0776*24	Reilly	03/19/99	13 20 NCR 1762
and The Sierra Club and Dogwood Alliance				
NC Forestry Association v. DENR, Division of Water Quality	98 EHR 0777*24	Reilly	03/19/99	13 20 NCR 1762
and The Sierra Club and Dogwood Alliance				
Silver Bullet, Inc. v. DENR, Division of Water Quality	98 EHR 0931	Chess	08/20/98	
HEALTH AND HUMAN SERVICES				
Stanley C. Ochulo v. Off./Administrative Hearings, Mr. R. Marcus Lodge	98 DHR 0021	Reilly	06/24/98	

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Oliver C. Johnson, Hazel T. Johnson v. Health and Human Services	98 DHR 0090	Gray	07/08/98	
Louise Streater v. Health and Human Services	98 DHR 0196	Gray	06/03/98	
Richard E. Lawrence, Rebecca A. Lawrence v. Health and Human Services	98 DHR 0209	Phipps	07/15/98	
John David Brinson v. Department of Human Resources	98 DHR 0369	Owens	08/17/98	
Wilbur L. Walker v. Office of the Chief Medical Examiner	98 DHR 0471	Owens	04/15/99	
Stephanie Wade v. Department of Health and Human Services	98 DHR 0666	Reilly	08/19/98	
Carolyn L. Freeman v. Department of Human Resources	98 DHR 0721	Gray	08/05/98	
Otis L. Mack, Jr. v. Office of Administrative Hearings	98 DHR 0729	Phipps	09/09/98	
Christopher Germano, Lee Germano v. Department of Health	98 DHR 0780	Owens	07/28/98	
Carol and Conrad Kunkel v. Department of Human Services	98 DHR 1047	Smith	02/25/99	
Donald Wayne Perry v. Office of Emergency Medical Services	98 DHR 1097	Smith	01/13/99	
E. Jean Woods v. EDS - Medicaid	98 DHR 1118	Gray	10/26/98	
Sonia Schaefer Jolly v. Village Care King, Autumn Care, DHHS	98 DHR 1134	Chess	01/07/99	
Sandra Nelson Molina v. Department of Health & Human Services	98 DHR 1243	Chess	01/21/99	
Bernadette Anderson v. Department of Health & Human Services	98 DHR 1257	Morrison	12/11/98	
Cheryl Lynn Staton v. Department of Health & Human Services	98 DHR 1259	Smith	11/30/98	
Mary Barrier v. Administrative Hearing	98 DHR 1287	Chess	11/19/98	
Jeffrey M. Holland and Capitol Hill Creative Consulting v. Dept. of the Secretary of State	98 DHR 1288	Chess	04/06/99	
James Michael Wallace v. Department of Human Resources	98 DHR 1340	Gray	12/21/98	
Barbara Jump v. Department of Human Services	98 DHR 1350	Reilly	01/20/99	
Keith Warren Kendall v. Nurse Aide Registry and DHHS	98 DHR 1368	Reilly	01/29/99	
Wilson Memorial Hospital v. Department of Health & Human Services	98 DHR 1423	Reilly	03/08/99	
Kent L. McMillian v. Department of Human Resources	98 DHR 1426	Mann	04/14/99	
Deborah Pelly v. Department of Health & Human Services	98 DHR 1565	Reilly	04/14/99	13 22 NCR 1893
Brandy Shea Minton v. Markus Lodge, General Counsel	98 DHR 1595	Smith	01/06/99	
Reeva Oliver v. Board of Nursing, Nursing Asst. Registry	98 DHR 1604	Reilly	02/09/99	
Jackie E. Ratliff v. Department of Health & Human Services	98 DHR 1689	Reilly	02/01/99	
Deborah Ann Williams v. Department of Health & Human Services	98 DHR 1742	Gray	04/27/99	
Blue Line Promotions, Inc. v. Dept. of the Secretary of State	98 DHR 1795	Chess	03/11/99	
Police Protective Fund v. Dept. of the Secretary of State	99 DHR 0001	Chess	03/11/99	
Community Funding Company v. Dept. of the Secretary of State	99 DHR 0002	Chess	03/11/99	
Ilyas Mahmood v. Department of Health & Human Services	99 DHR 0108	Chess	03/03/99	
Gladys Cherry/CF #2/CGH v. Division of Facility Services	99 DHR 0255	Owens	05/03/99	
Bertha Blocker McDonald v. Department of Health & Human Services	99 DHR 0323	Owens	05/03/99	
Division of Child Development				
Dulatown Presbyterian Children's Ctr. v. DHHS, Child Development	98 DHR 0654	Gray	08/06/98	
Cookie's Day Care Home, Wanza W. Garolds v. DHHS, Child Dev.	98 DHR 0946	Gray	01/13/99	
Cassandra Myers v. Division of Child Development	98 DHR 0948	Owens	09/03/98	
Theresa McCormick v. DHHS, Division of Child Development	98 DHR 0989	Smith	12/29/98	
Dulatown Presbyterian Children's Ctr. v. DHR, Child Development	98 DHR 1112	Morrison	10/16/98	
Dora's Child Development Center v. Mecklenburg Cty DSS, and DHR	98 DHR 1184	Phipps	09/25/98	
Victory Day Care & Learning Ctr., Joe Walters v. DHHS, Child Dev.	98 DHR 1533	Smith	01/25/99	
Four-County Community Services, Inc. v. Human Resources, Child Dev.	98 DHR 1534	Smith	01/25/99	
Kandy Kane Day School, Inc. v. DHHS, Div. of Child Development	98 DHR 1668	Reilly	02/24/99	
Phoo Bear's DayCare, Sebrina Davis v. Div of Child Development	99 DHR 0008	Chess	04/13/99	
T/A Appletree Day Care, Inc., Carolyn J. Driggers v. DHHS, Division of Child Development	99 DHR 0058	Morrison	04/12/99	
Miriam E. Cowan (Lawrie) v. Health & Human Svcs., Child Development	99 DHR 0182	Owens	03/16/99	
Purcell W. Hobbs v. Youth and Family Svcs., Dept. of Social Services	99 DHR 0333	Owens	04/29/99	
Division of Facility Services				
Pearlie W. Lawson v. DHHS, Facility Svcs., Health Care Personnel Reg.	97 DHR 1034	Becton	07/30/98	
Annie K. Morgan v. Health & Human Services, Facility Services	97 DHR 1046*	Phipps	07/23/98	
Mooresville Hospital Mgmt. Associates, Inc. d/b/a Lake Norman Regional Medical Center v. DHR, Facility Services, Certificate of Need Section and Autumn Corporation and McKinley V. Jurney	97 DHR 1209	Reilly	06/23/98	
Warren Moore & Catherine Moore v. DHR, Div. of Facility Services	97 DHR 1279	Mann	09/08/98	
Constellation Health Services, Inc. and Constellation Senior Services, Inc. v. DHR, Facility Services, Group Care Licensure Section and Diversified Health Group, L.L.C. and The Innovative Health Group, Inc.	97 DHR 1529	Gray	06/24/98	
Dialysis Care of NC, LLC, d/b/a Dialysis Care of Rowan County v. DHR, Division of Facility Services, Certificate of Need Section v. Biomedical Applications of NC, Inc. d/b/a BMA of Kannapolis d/b/a Metrolina Kidney Center of Kannapolis (Lessee) and Metrolina Nephrology Associates, P.A. (Lessor)	97 DHR 1588	Phipps	08/31/98	
Robin Annette Reavis v. Health and Human Svcs., Div. of Facility Svcs.	97 DHR 1672	Reilly	08/12/98	
Jennifer Blofeld v. DHHS, Facility Svcs., Health Care Personnel Registry	98 DHR 0096	Gray	08/21/98	
Sunlite Retirement Home, Winnie Jane Johnson v. DHR, Facility Services	98 DHR 0124	Phipps	06/11/98	
Helen Shokoti v. Health and Human Services, Div. of Facility Services	98 DHR 0173	Chess	08/26/98	
Ann Davis Rest Home v. Group Care Licensure Section	98 DHR 0197	Phipps	06/23/98	

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Diane Lingard v DHR, Facility Svcs, Health Care Personnel Reg	98 DHR 0214	Becton	06/22/98	
Kimberly Annette Smith Hull v DHHS, Division of Facility Services	98 DHR 0239	Phipps	06/23/98	
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v DHHS, Div. of Facility Services, Certificate of Need Section, and	98 DHR 0244*15	Phipps	11/24/98	13 12 NCR 1018
Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.				
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v DHHS, Div. of Facility Services, Certificate of Need Section, and	98 DHR 0245*15	Phipps	11/24/98	13 12 NCR 1018
Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.				
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v DHHS, Div. of Facility Services, Certificate of Need Section, and	98 DHR 0247*15	Phipps	11/24/98	13 12 NCR 1018
Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.				
Rose Marie Spencer v DHHS, Division of Facility Services	98 DHR 0279	Chess	01/07/99	
Deborah Ann Holt v DHHS, Division of Facility Services	98 DHR 0348	Phipps	06/22/98	
Columbia Direct Mktg Corp v DHHS, Facility Svcs., Soltn Lic Br	98 DHR 0394	Morrison	12/31/98	
Terri Michelle Tyler v Health & Human Svcs, Div. of Facility Services	98 DHR 0458	Gray	08/21/98	
Doris Jones Holmes v DHHS, Facility Svcs, Health Care Personnel Reg	98 DHR 0463	Gray	08/21/98	
Annie K. Morgan v Health & Human Services., Facility Services	98 DHR 0496*6	Phipps	07/23/98	
Shirley Bowling v DHHS, Facility Services, Health Care Personnel Reg	98 DHR 0547	Gray	11/09/98	
Johnnie E. Williams v DHHS, Division of Facility Services	98 DHR 0639	Reilly	07/02/98	
Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) and Webb-Lohavichan Rentals (Lessor) v DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0700*23	Chess	02/04/99	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC				
Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr v DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0701*20	Reilly	02/01/99	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC				
Christy Jeton Hall v DHHS, Division of Facility Services	98 DHR 0706	Gray	10/12/98	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0718*23	Chess	02/04/99	
Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) & Webb-Lohavichan Rentals (Lessor)				
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v DHHS, Division of Facility Services, Certificate of Need Section and	98 DHR 0719*20	Reilly	02/01/99	
Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr				
Judith May Gale v DHHS, Division of Facility Services	98 DHR 0739	Owens	12/16/98	
Evangeline McBride v DHR, Division of Facility Services	98 DHR 0767	Chess	03/04/99	
Latonia Denise Thomas v DHHS, Division of Facility Services	98 DHR 0809	Gray	10/23/98	
Tracey Deirdre Galloway v DHHS, Facility Svcs., Health Care Per Reg	98 DHR 0824	Gray	09/24/98	
Afi Teawanda Byrd v DHHS, Division of Facility Services	98 DHR 0838	Reilly	12/29/98	
Happy Dan's Home, Gladys Cooke v Facility Svcs., Group Care Lic Sect	98 DHR 0885	Owens	11/19/98	
Wanda Best v. Division of Facility Services, DHHS	98 DHR 0936	Chess	01/11/99	
Tracey Yelverton v DHHS, Division of Facility Services	98 DHR 0955	Owens	01/04/99	
Rose Marie Hadley v DHHS, Division of Facility Services	98 DHR 0970	Smith	10/08/98	
Robena Juanita Jones v DHHS, Division of Facility Services	98 DHR 1089	Gray	12/29/98	
Mona Lisa Lucas v DHHS, Division of Facility Services	98 DHR 1110	Gray	01/04/99	
Edna Weaver Sawyer v DHHS, Division of Facility Services	98 DHR 1111	Gray	01/04/99	
Linda Estes Richardson v DHHS, Division of Facility Services	98 DHR 1131	Chess	01/07/99	
Shirley L. Smith, a/k/a Shirley Lee Turner v DHHS, Facility Services	98 DHR 1132	Chess	01/07/99	
Jeanette Crandal Williams v Health & Human Services, Facility Services	98 DHR 1133	Morrison	02/18/99	
Felicia Ozoms v DHHS, Division of Facility Services	98 DHR 1173	Gray	01/20/99	
Carolyn Grant v Health & Human Services, Facility Services	98 DHR 1264	Owens	02/15/99	
Bridgette Taylor v Nurse Aide I Program, DFS	98 DHR 1283	Mann	12/14/98	
Jamie Jarnigan Oaks v DHHS, Division of Facility Services	98 DHR 1284	Smith	01/12/99	
Barbara Davis v DHHS, Division of Facility Services	98 DHR 1317	Gray	12/21/98	
Jamila Adukeyjie Alghali v Health & Human Services, Facility Services	98 DHR 1326	Wade	02/16/99	

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Dorothy Rea Fisher v. Health & Human Services, Facility Services	98 DHR 1349	Wade	03/02/99	
April F. Matthews v. Health & Human Services, Facility Services	98 DHR 1691	Owens	03/01/99	
Virgie Harshaw Stinson v. Health Care Personnel Registry	98 DHR 1692	Gray	02/10/99	
Valerie Ann Hernandez v. DHHS, Division of Facility Services	99 DHR 0088	Phipps	03/16/99	
Wanda Ann Cribb v. DHHS, Division of Facility Services	99 DHR 0109	Morrison	03/26/99	
Bertha Stinson Hall v. DHHS, Division of Facility Services	99 DHR 0153	Morrison	04/16/99	
<i>Division of Medical Assistance</i>				
Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas Medical Ctr. and Harry Mahannah, M D v. DHHS, Division of Medical Assistance	97 DHR 0621	Smith	07/08/98	
Isaiah Smith, Jr., by/through his Guardian, Lawrence E. Thompson, III v. DHHS, Division of Medical Assistance	98 DHR 0273	Gray	12/07/98	
William M. Bell, Jr. v. DHHS, Medical Assistance, Third Party Rec. Sec.	98 DHR 0979	Mann	01/13/99	13 16 NCR 1366
Alic F. Schneider, Julia R. Hammonds v. DHHS, Medical Assistance	98 DHR 0994	Morrison	10/29/98	
April Dawn Bass v. DHHS, Division of Medical Assistance	98 DHR 1687	Mann	01/14/99	
Candace Ewanda Newsome v. Tarheel Consultant, Cherry Hospital, Sunrise Health Care Center (Div of Medical Assistance)	99 DHR 0013	Wade	03/30/99	
<i>Division of Social Services</i>				
William & Crystal Steakley v. DHHS, Division of Social Services	98 DHR 0076	Gray	07/20/98	
Raji Abdus-Salaam v. Department of Human Resources, DSS-DCA	98 DHR 0771	Owens	07/30/98	
<i>Child Support Enforcement Section</i>				
William Robert Cameron v. Department of Human Resources	96 CRA 1525	Gray	01/11/99	
Robert H. Black v. Guilford County Child Support Enforcement	96 CRA 1548	Mann	10/09/98	
Dorman E. Drake v. Department of Human Resources	96 CRA 1717	Smith	08/25/98	
Garry R. McNeill v. Department of Human Resources	96 CRA 1743	Reilly	10/22/98	
Robert Alan Davis v. Department of Human Resources	96 CRA 1781*	Phipps	08/20/98	
Michael W. White v. Department of Human Resources	96 CRA 1784	Gray	09/25/98	
Troy R. Emmons, Jr. v. Department of Human Resources	96 CRA 1798	Reilly	08/25/98	
Marvin A. Pike v. Department of Human Resources	96 CRA 1814	Chess	09/24/98	
Richard L. Garver, Jr. v. DHR, Div of Social Services	96 CRA 1823	Morrison	04/23/99	
Mary Putnam Avery v. DSS, Durham County Child Support Enforcement	96 CRA 1849	Morrison	09/01/98	
Anthony B. Griffin v. Department of Human Resources	96 CRA 1855	Gray	12/18/98	
Gilbert G. Gray v. Department of Human Resources	96 CRA 1858	Morrison	10/08/98	
Jimmy Dorsey v. Department of Human Resources	96 CRA 1862	Smith	12/15/98	
Herbert Leon Sellers v. Department of Human Resources	96 CRA 1932	Smith	11/06/98	
Gregory Boren v. Department of Human Resources	96 CRA 1945	Gray	12/14/98	
David W. Davis v. Department of Human Resources	96 CRA 1976	Smith	11/06/98	
Dale W. Hutchinson v. Department of Human Resources	96 CRA 1981	Mann	08/26/98	
Kelvin Cherry v. Department of Human Resources	97 CRA 0026	Gray	12/14/98	
Joe A. Lynch v. Department of Human Resources	97 CRA 0045	Phipps	10/09/98	
Gary W. Wampler v. Department of Human Resources	97 CRA 0187	Smith	12/15/98	
Kenneth Bryan Haynes v. Department of Human Resources	97 CRA 0444	Mann	02/19/99	
Kenneth Eugene Scott v. Department of Human Resources	97 CRA 1232	Chess	11/06/98	
Mark Owens Frink v. Department of Human Resources	97 CRA 1524	Mann	10/09/98	
Jeffery Lee Graves v. Department of Human Resources	98 CRA 0137	Becton	06/23/98	
Donald L. Carr, Jr. v. Department of Human Resources	98 CRA 0545	Reilly	06/08/98	
Marvin Diggs v. Department of Human Resources	98 CRA 0588	Reilly	06/24/98	
Michael Patrick Dyme v. Department of Health & Human Services	98 CRA 0787	Gray	09/17/98	
Paula C. Freeman v. Department of Health & Human Services	98 CRA 1117	Smith	12/18/98	
Sherman L. Arnold Sr. v. Department of Health & Human Services	98 CRA 1152	Mann	10/28/98	
Clifton Pierce v. Department of Health & Human Services	98 CRA 1430	Smith	01/11/99	
Dennis Lee McNeill v. Department of Human Resources	96 CSE 1305	Gray	06/22/98	
Byron O. Ashby II v. Department of Human Resources	96 CSE 1435	Mann	07/15/98	
Hubert L. Morrison v. Department of Human Resources	96 CSE 1649	Reilly	08/12/98	
Wayne L. Weeks v. Department of Human Resources	96 CSE 1777	Gray	04/30/99	
Robert Alan Davis v. Department of Human Resources	96 CSE 1780*	Phipps	08/20/98	
Larry S. Robinson v. Child Support Enforcement Agency	96 CSE 1848	Gray	11/05/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1854* ¹³	Chess	09/01/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1902* ¹³	Chess	09/01/98	
Michael J. Burgess v. Department of Human Resources	96 CSE 1989	Mann	12/10/98	
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* Consolidated Cases.

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 Walter Williams v Bd of Trustees NC Local Gov Emp Retirement Sys. 98 DST 0774 Smith 12/08/98
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STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
98 DST 0967

COUNTY OF ALAMANCE

AARON DAY

Petitioner,

v.

BOARD OF TRUSTEES OF N.C.

LOCAL GOVERNMENTAL

EMPLOYEES RETIREMENT SYSTEM

Respondent.

RECOMMENDED DECISION

This contested case was heard before Meg Scott Phipps, Administrative Law Judge, on February 12, 1999 in Graham, North Carolina.

APPEARANCES

For Petitioner: Jim H. Joyner, Jr.
 Attorney at Law

For Respondent: Robert Curran
 Assistant Attorney General

ISSUES

1. Whether the Respondent unlawfully impaired Petitioner's vested retirement rights, acted erroneously, or failed to act as required by law or rule in failing to calculate Petitioner's disability retirement benefits as if Petitioner worked until he was 65 years of age when Petitioner's disability retirement vested after only one year of creditable service as set forth in N. C. Gen. Stat. § 128-27(c)?

2. Whether Respondent unlawfully impaired Petitioner's vested retirement rights or failed to act as required by law or otherwise acted erroneously in failing to allow Petitioner to receive creditable service for pre-July 1, 1982 so that Petitioner's disability retirement benefits would be calculated as if he had worked until age 65?

STATUTES AND RULES INVOLVED

1. N. C. Gen. Stat. § 128-27(d)(3) (effective from July 1, 1971 through June 30, 1982).
2. N. C. Gen. Stat. § 128-27(d)(4).
3. N. C. Gen. Stat. § 128-26(i).
4. N. C. Gen. Stat. § 128-21(8), (14), and (17).
5. N. C. Gen. Stat. § 128-27(c) as amended effective April 1, 1991.
6. *Simpson Moore v. North Carolina Local Governmental Employees Retirement System, et al.*, 363 S.E. 2d 90 (N.C. App. 1987), *affirmed per curiam*, 372 S.E. 2d 559(N.C. 1988).
7. *Faulkenbury, et al v. Teachers and State Employees Retirement System of North Carolina, et al.*, 483 S.E. 2d 422 (N.C. April 11, 1997).

FINDINGS OF FACT

From official documents in the file, sworn testimony of the witnesses, and other competent and admissible evidence, including stipulations of the parties, it is found as a fact that:

1. Petitioner was born on February 2, 1955.

2. Petitioner was employed by the North Carolina Department of Transportation and was a contributing member of the Teachers and State Employees Retirement System from August 25, 1973 through March 26, 1976.

3. When Petitioner voluntarily left his position with the North Carolina Department of Transportation, he withdrew his retirement contributions.

4. In June 27, 1977, Petitioner began employment as a fireman with the City of Burlington, North Carolina.

5. After a probationary period of employment of six months duration, Petitioner became a member of the Local Governmental Employees Retirement System and began making retirement contributions thereto on January 1, 1978.

6. At all times during his employment with the City of Burlington, Petitioner worked as a "fireman" as defined in N. C. Gen. Stat. § 58-86-25.

7. In 1987, the North Carolina Court of Appeals ruled that members in the Local Governmental Employees Retirement System with five years of "creditable service" had a vested contractual right to rely on the terms of the General Statutes which set forth the retirement provisions for Local Governmental Employees as those terms existed at the moment the member's retirement rights became vested. *Simpson Moore v. North Carolina Local Governmental Employees Retirement System, et al*, 363 S.E. 2d 90 (N.C. App. 1987), *affirmed per curium*, 372 S.E. 2d 559 (N.C. 1988).

8. In the *Simpson Moore* decision, the Court of Appeals held that the vested retirement rights of Local Governmental Employees could not be made subject to adverse legislative modification after vesting because any reduction in benefits would violate Article One, Section 10, Clause 1 of the United States Constitution, which prohibited states from enacting any law "impairing the obligation of contracts" unless legislative action was reasonable and necessary to serve an important public purpose. *Simpson Moore*, 363 S.E. 2d at 94.

9. The plaintiffs in *Simpson Moore* were former firemen who had qualified for disability retirement and had five or more years of service as of 1978. *Simpson Moore*, 363 S.E. 2d at 92.

10. Under N. C. Gen. Stat. § 128-27(d)(3), which was in force from July 1, 1971 through June 30, 1982, a member of the Local Governmental Employees Retirement System retiring on disability received a benefit calculated as if he had worked to the age of 65 years. *Id.*

11. North Carolina General Statutes, Chapter 128, was amended, effective July 1, 1982, by the addition of a new subsection 128-27(d4) which basically provided that those members retiring on or after July 1, 1982, were entitled to have their benefits calculated as if they had worked to the earliest date on which they would have been eligible for an unreduced benefit, basically the earlier of 30 years or age 65. *Simpson Moore*, 363 S.E. 2d at 92.

12. This statutory change meant that a member beginning creditable service at age 20 could no longer, upon disablement after vesting, receive a benefit calculated as if he had worked until he was 65 (45 years). Instead, the member could claim no more service credit years than a person retiring on service retirement after a full career of 30 years. *Id.* Members who began work prior to age 35 or who could claim additional service credits stood to receive a smaller retirement allowance under the new law going into effect on July 1, 1982, than under the pre-July 1, 1982 law. *Simpson Moore*, 363 S.E. 2d at 92.

13. The *Simpson Moore* plaintiffs contended, and the Court of Appeals and Supreme Court agreed, that although the *Simpson Moore* plaintiffs retired on disability after July 1, 1982, they were entitled to have their disability retirement calculated according to the more favorable pre-July 1982 formula in effect at the time they became vested members of the system. *Id.*

14. Therefore, under the law established as *Simpson Moore*, local government employees with five years of creditable service prior to July 1, 1982, are allowed to calculate their disability retirement benefits as if they had worked to age 65.

15. On April 1, 1991, a legislative amendment to N. C. Gen. Stat. § 128-27(c) went into effect, which amendment provided that a fireman, as defined in N. C. Gen. Stat. § 58-86-25, who had only one year of creditable service and became incapacitated for duty as the natural and proximate result of an injury by accident occurring while in the actual performance of duty could be retired by the Board of Trustees in the Local Governmental Employees Retirement System on a disability retirement

allowance, effectively reducing the five year vesting rule to one year for those firemen who became disabled as a result of an injury sustained by accident in the actual performance of duty.

16. During his employment with the City of Burlington as a fireman, Petitioner received a manual which outlined his retirement benefits in the system. The Petitioner relied on this manual to provide accurate information about his rights.

17. The manual provided to the Petitioner contained several passages regarding the right of a member of the Local Governmental Employees Retirement System to repurchase previously withdrawn contributions and add that creditable service to the member's service in the Local Governmental Employees Retirement System.

18. On April 11, 1997, the Supreme Court decided the case of *Faulkenbury, et al v. Teachers and State Employees Retirement System of North Carolina, et al*, 483 S.E. 2d 422, 345 N.C. 683 (1997).

19. In the *Faulkenbury* case, the court reaffirmed the decision in *Simpson* and ruled that "at the time the plaintiff's rights to pensions became vested, the law provided that they would have disability retirement benefits calculated in a certain way. These were rights that they had earned and that may not be taken from them by legislative action." *Faulkenbury*, 483 S.E. 2d at 427.

20. The Supreme Court in *Faulkenbury* also ruled that statutory amendments which increase benefits to those vested members of the retirement systems cannot be abrogated by later action. *Faulkenbury*, 483 S.E. 2d at 428:

The defendants next contend that plaintiffs Faulkenbury and Woodward argue that their contract rights arose at the time their rights to pensions were vested. The plaintiffs were vested before 1 July 1982, and, say the defendants, the rights must be determined as of those dates. If this is so, the plaintiffs rights have not been impaired because they would have received less on the dates of vesting than they would have received on 1 July 1982. Whenever the plaintiffs pension rights vested, they were entitled to have their rights calculated on 1 July 1982. The State and Local Governments on that date offered certain things to the plaintiffs, which the plaintiffs accepted by continuing in their employment.

21. On August 7, 1997, Petitioner accidentally mis-stepped off the back of a fire truck while in the performance of his duties as a fireman.

22. On May 12, 1998, the Board of Trustees of the Local Governmental Employees Retirement System of North Carolina, acting on a report of the Medical Board, approved Petitioner's application for disability retirement, ruling that the medical information received was sufficient to establish total disability.

23. Petitioner visited with Jack W. Pruitt, Director of the Retirement Systems Divisions of the Department of State Treasurer, to inquire of Mr. Pruitt whether Petitioner's disability retirement benefits would be calculated under the provisions of the *Simpson Moore* case. Petitioner was informed by Mr. Pruitt that there was no way for Petitioner's disability retirement benefits to be calculated under the provisions of the *Simpson Moore* case.

24. On May 15, 1998, Jack W. Pruitt issued a letter to Petitioner ruling that the repurchase of previously withdrawn credit for the service rendered by Petitioner under the Teachers and State Employees Retirement System would not give Petitioner five years of creditable service on July 1, 1982. Mr. Pruitt ruled that "a post-July 1, 1982 purchase will not give you five years of creditable service on July 1, 1982."

25. Petitioner was officially ruled by Respondent to be retired on disability on June 1, 1998.

26. The amount of Petitioner's current monthly disability benefit is \$1,328.08. Assuming that Petitioner could purchase additional creditable service previously withdrawn and assuming Petitioner would receive the greater benefits provided to *Simpson Moore* class members, his monthly benefit would equal \$1,973.66.

Based on the foregoing Findings Of Fact, the undersigned makes the following:

CONCLUSIONS OF LAW

1. The Office of Administrative Hearings has jurisdiction in this matter.
2. A contractual relationship exists between Petitioner and Respondent.

3. Upon Petitioner performing five years of membership service, which occurred on January 1, 1983, his contractual rights to the retirement systems vested as to those provisions existing at that time and to all subsequently enacted provisions applicable to him that did not impair vested property rights.
4. The disability retirement benefit calculation provisions claimed by Petitioner was a material term of the contract.
5. The Petitioner's reliance on the promised compensation, including the disability retirement benefit formulas, was reasonable.
6. On April 1, 1991, the General Assembly reduced the five year vesting requirement to one year for those firemen who became incapacitated for duty as the natural and proximate result of an injury occurring while in the actual performance of their duties. Since Petitioner was vested as of the date of the amendment, this favorable reduction in the vesting rules immediately inured to the benefit of the Petitioner.
7. The Petitioner is a "fireman" as that term is defined in N. C. Gen. Stat. § 58-86-25.
8. The Petitioner was rendered incapacitated for duty as the natural and proximate result of an accident occurring in the actual performance of his duty as a "fireman", as the term "fireman" is defined in N. C. Gen. Stat. § 58-86-25.
9. Petitioner was thus required to have only one year of creditable service to be eligible for disability retirement under the amendments to N. C. Gen. Stat. § 128-27(c).
10. Therefore, Petitioner's disability benefits must be calculated as if his vesting date was January 1, 1979.
11. The Respondent's application of post-July 1, 1982 disability retirement benefit calculations to the Petitioner is a failure by Respondent to act as required by law.
12. The Respondent's application of post-July 1, 1982 disability retirement calculations to the Petitioner is an erroneous act.
13. The application of post-July 1, 1982 disability retirement calculations to the Petitioner is a substantial impairment and diminishment of the Respondent's contractual obligations to the Petitioner.
14. Alternatively, the Respondent unlawfully impaired the Petitioner's vested retirement rights, failed to act as required by law, and otherwise acted erroneously in failing to allow the Petitioner to repurchase pre-July 1, 1982 creditable service and add that repurchased time to the pre-July 1, 1982, creditable service of the Petitioner in the System so that Petitioner's disability retirement benefits would be calculated as if he had worked until age 65.
15. N. C. Gen. Stat. § 128-26(i) provides that "any person who leaves service after June 30, 1975 and who withdraws his contributions in accordance with the provisions of N. C. Gen. Stat. . . . § 135-5(f) . . . and who subsequently returns to service may, upon completion of ten years of prior and current membership service, repay in a total lump sum any and all of the accumulated contributions previously withdrawn . . . **and receive credit for the service forfeited at the time of withdrawal(s).**" [Emphasis added.]
16. Petitioner is entitled under N. C. Gen. Stat. § 128-26(i) to repurchase previously withdrawn contributions in the Teachers and State Employees Retirement System and have any and all repurchase contributions count towards his creditable service in the Local Governmental Employees Retirement System.
17. Petitioner needs to purchase only seven months of his previously withdrawn contributions in the Teachers and State Employees Retirement System in order to have five years of creditable service prior to July 1, 1982 and thus avail himself of the more favorable disability benefit calculation under the reasoning of *Simpson* and *Faulkenbury*.
18. In order to give effect to all provisions of the statutes creating the Local Governmental Employees Retirement System, it is clear that vesting dates must change over time. To insist that it is only "membership service", as defined in N.C. Gen. Stat. § 128-21(14), which satisfies the five year creditable service vesting rule would gut the rights of those employees seeking disability retirement from exercising their statutory prerogative to repurchase previously withdrawn contributions and have the repurchased contributions count as creditable service. A statute must be construed as a whole, giving effect if possible to every provision. *Abell v. Nash County Board of Education*, 321 S.E. 2d 502, review denied, 329 S.E. 2d 389, appeal after remand, 365

S.E. 2d 706 (1984). Where a statute expresses first a general intent and afterwards an inconsistent particular intent, the latter expression will be taken as an exception from the former and both will stand. *In Re: Stillman*, 13 S.E. 2d 544 (N.C. 1941).

19. The Respondent has underpaid Petitioner his disability retirement benefits since June of 1998.

20. The Respondent must recalculate Petitioner's disability benefits so that he is treated as if he worked to age 65. The Respondent must begin paying the recalculated proper amount of monthly disability retirement benefits to Petitioner immediately and must pay to the Petitioner the proper amount to remedy the under payments of his disability retirement benefits since June of 1998, with interest as allowed by statute.

21. If, in the event the decision that Petitioner is entitled to have his disability benefits recalculated based on the April, 1991, amendment to N. C. Gen. Stat. § 128-27(c) is overruled, reversed or vacated, then Petitioner is entitled to repurchase seven months of pre-July 1, 1982 creditable service at the price required by statute, which price shall be calculated as if the repurchase was made on May, 12, 1998, and the Respondent must immediately increase Petitioner's monthly disability benefits from his present monthly payment to a monthly payment of \$1,973.66. The Respondent must further pay to the Petitioner the sum of \$7,101.38 to compensate Petitioner for under payments of his disability retirement benefits from June of 1998 through April of 1999.

RECOMMENDED DECISION

Based upon the foregoing Findings Of Fact and Conclusions Of Law, the undersigned Administrative Law Judge recommends the following:

1. Petitioner's disability retirement benefits be recalculated as if he had worked to age 65;
2. Petitioner immediately be paid the proper amount of monthly disability retirement benefits; and
3. Respondent pay to the Petitioner, in a lump sum, the proper amount of money, with interest as allowed by statute, to compensate the Petitioner for the monthly under payments of his disability retirement benefits since June of 1998.

In the alternative, if the decision of this judge is overruled on the issue of Petitioner's entitlement to increased disability benefits based on the amendments to N. C. Gen. Stat. § 128-27(c) effective April, 1991, then it is recommended that Petitioner is entitled to repurchase seven months of pre-July 1, 1982 creditable service at the price required by statute, which price shall be calculated as if the repurchase was made on May 12, 1998, and the Respondent must immediately increase Petitioner's monthly disability benefits from his present monthly payment to a monthly payment of \$1,973.66. The Respondent must further pay to the Petitioner the sum of \$7,101.38 to compensate Petitioner for under payments of his disability retirement benefits from June of 1998 through April of 1999, with interest as allowed by statute.

ORDER

IT IS HEREBY ORDERED that the agency serve a copy of the Final Decision on the Office of Administrative Hearings, Post Office Drawer 27447, Raleigh, North Carolina 27611-7447 in accordance with N. C. Gen. Stat. § 150B-36(b).

NOTICE

The agency making final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. N. C. Gen. Stat. § 150B-36(a).

The agency is required by N. C. Gen. Stat. § 150B-36(b) to serve a copy of the Final Agency Decision on all parties and to furnish a copy to the parties' attorneys of record and to the Office of Administrative Hearings. The agency that will make the final decision in this contested case is the Board of Trustees of the Local Governmental Employees Retirement System.

This is the 15th day of April, 1999.

Meg Scott Phipps
Administrative Law Judge

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
97 OSP 1222

COUNTY OF HERTFORD

JAMES L. HALL
Petitioner,

vs.

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION
Respondent.

RECOMMENDED DECISION

THIS MATTER came on for hearing before the undersigned Administrative Law Judge on July 21, 1998 and October 21, 1998. At the hearing of this case, the petitioner was represented by his attorney, David P. Voerman. The North Carolina Department of Transportation was represented by their attorney, Sarah Ann Lannom from the North Carolina Department of Justice. At the conclusion of the hearing, the court took the matter under advisement and asked all parties to submit briefs and arguments in respect to the matters which had occurred during the trial of the case.

Based upon the consideration of all evidence presented during the course of the trial of this matter, the briefs submitted by the parties, and the oral argument of the parties, the court enters this Recommended Decision. The court specifically finds the following facts by a preponderance of the evidence, enters its conclusions of law thereon, and based upon the findings of fact and conclusions of law enters the Recommended Decision indicated herein.

FINDINGS OF FACT

1. This case was begun by the filing of a contested case petition on or about September 29, 1997. The contested case petition alleged discrimination based on age in respect to failure to receive promotions within the Department of Transportation.
2. Prior to filing the petition in this case, the petitioner, James L. Hall, had filed an internal grievance with the North Carolina Department of Transportation, alleging essentially the same matters that were set forth in the petition for a contested case hearing. Hall had exhausted all administrative remedies prior to the filing of the contested case petition in this matter.
3. At the time of the filing of the petition, Hall had been employed for 1 344 continuous months at the Department of Transportation. He was a Transportation Technician T1, with a pay of approximately \$29,663.00 per year, employed within Division 1 of the Department of Transportation.
4. At the time of the discrimination complained of in the petition, Hall had been employed for 28 continuous years with the North Carolina Department of Transportation. He had been a Transportation Technician U for eleven (11) years.
5. In the early part of 1997, Hall applied for a Transportation Technician IV position available within Division 1 of the North Carolina Department of Transportation. He was not selected for the position, and an individual who was much younger than Hall, (approximately thirty five (35) years of age at the time), was selected. It is this selection that Hall contends was discriminatory in nature, being based upon age.
6. Petitioner is fifty one (51) years of age, with a date of birth of February 15, 1947. He appears to be his age, has graying or white places in his hair, and does not look particularly old or young for his actual age.
7. After becoming a Transportation Technician 11, Hall's supervisor was M. G. Carawan, who was the District Engineer for the Ahoskie Construction office of the Department of Transportation, (where Hall worked for an extensive period of time), during the late 1980's.
8. In 1988 or 1989, Carawan was absent from work and J. R. Pope, who was then the Assistant District Engineer, began to supervise Hall. Pope eventually took over in the late 1980's as District Engineer and became Hall's supervisor on a permanent basis.

9. J. L. McDonald was Pope's supervisor during the time from the late 1980's through December of 1993. He served in a position as the Division Engineer.
10. In 1989, Hall was issued a letter of reprimand, approved by Pope and MacDonald, for allegedly becoming involved in a conflict situation with a Private Contractor working for the Department of Transportation. This letter was eventually removed from Hall's file in 1994 or 1995 after Hall petitioned, in writing, for its removal.
11. In addition, Pope caused to be placed in Hall's file a letter dated July 11, 1989 which was admitted into evidence as Petitioner's Exhibit No. 20, and which questioned Hall's ability and competence, without any knowledge on Hall's part.
12. MacDonald was aware of this letter and was also aware of Hall's complaints about not being selected for promotion from 1989 on. In fact, MacDonald generated a document, admitted as Petitioner's Exhibit No. 19, which expressed his concerns about Hall. Hall was never provided this document.
13. In the last ten (10) years, Hall has repeatedly applied for Transportation Technician III and Transportation Technician IV positions that have been advertised within his Division of the Department of Transportation. In the last five (5) years, he has applied for at least four (4) such positions.
14. The Department of Transportation advertised, for filling, a Transportation Technician IV position within Hall's Division in February of 1997. Hall, J. W. Perry, who was previously selected for a Transportation Technician III position over Hall, and two individuals who were not DOT employees applied for this job. Perry was 35 years old at the time of his application and Hall was 50 years old.
15. Pope was the deciding individual who made the selection in respect to this position. Pope had made three (3) prior selections for vacant positions since 1994. Eight (8) selections had been within Hall's particular work section of the Department of Transportation since 1993 for Transportation Technician III or Transportation Technician IV jobs. One (1) selection within the last five (5) years for these positions involved the selection of an individual who was over age forty (40). All other selections were persons under forty (40), and in most cases, well under forty (40).
16. Exhibit Nos. 4 and 5 contain a summary of such selections which are deemed relevant.
17. In all cases selected by Pope, supervisory authority approved the selections of Pope. In the selection in question, the selection by Pope was approved by supervisory authority, essentially without comment.
18. Over the course of the last five (5) years, J. R. Pope, as Hall's immediate supervisor has made several comments to him concerning his age. These comments have included commenting about the white in Hall's sideburns and hair, and actually telling Hall that he was "older than dirt". Pope has made these comments to **other individuals** who were older individuals within the Department of Transportation also. While Pope himself is above forty (40) years of age, these comments have been directed towards people who appeared older, or who Pope knew to be advanced in
19. These comments were not isolated comments, nor were they made in a jovial manner. Hall took offense to these comments about his age being made, and began to consider that his failure to be selected for all the Transportation III and IV Technicians positions for which he applied, may well have been related to his age.
20. In respect to the specific selection in question, occurring in February of 1997, Hall was selected for an interview for this particular selection. During the course of the interview process, no questions were asked of him concerning the job position. In fact, the only discussion that occurred between he and J. R. Pope at the interview concerned Pope's medical condition and the stock market.
21. No structured interview, or other interviewing process was effected to qualify Hall for the selection in question, and it does not appear that any other interview process was used by Pope in respect to any other selections made by him in the last five (5) years.
22. Prior to the selection being made, Hall had received good or very good fitness ratings for the last five (5) years (see Petitioner's Exhibit No. 7). Perry, who was eventually selected, had received either very good or outstanding fitness reports for the last five (5) years (see Petitioner's Exhibit No. 8).

23. Hall was found to be qualified for the position by the Department of Transportation at the time they conducted the interview, and at the time the selection was made.

24. Hall had completed various academic requirements, had many certifications, and had completed many schools which provided him various certifications. Hall had a GED from high school, and some college courses. Petitioner's Exhibit Nos. 15, 16, and 17, contain Hall's academic achievements, along with the various certifications and schools he has taken over the years.

25. Hall, at the time of the selection, had a broad range of experience doing just about every job that a Transportation Technician could do within the Department of Transportation. His broad range of experience, with the exception of performing at the Transportation Technician III level, far exceeded that of J. W. Perry, the selectee.

26. Perry had served as a Transportation Technician IT for approximately three (3) years at the time of his selection. The only significant difference between the duties of a Transportation Technician III and a Transportation Technician II is the amount of supervisory authority exercised, and the size of the projects worked on. As a Transportation Technician moves the ladder of promotions, he works on bigger and bigger projects. However, with the exception of the size of the projects, and the complexity in respect thereto, and the possibility of supervising other Transportation Technicians, the work performed by any Transportation Technician is essentially the same.

27. Hall, prior to J. R. Pope taking over as his supervisor, had been actively engaged in supervision in respect to personnel on projects. However, much of the responsibility that Hall had exercised in the past was removed by Pope in the late 1980's when Pope told Hall that he did not want him dealing with any personnel of DOT, or being in any job of responsibility, and that Pope would never place him in such jobs no matter what. Presumably, this was because of the matter contained in the letter of reprimand, and also because of Pope's personal feelings towards Hall, as expressed in Petitioner's Exhibit No. 18, and Petitioner's Exhibit No. 20. While Pope told Hall about his personal feelings, he did not advise Hall of the placing in his personnel file of the document referenced in this paragraph.

28. After the interview process in this case, Pope was required to prepare a summary of his evaluation of the particular employee and indicate who he recommended for the job. Pope prepared such a document in respect to Hall. He also prepared such a document in respect to Perry.

29. On the original interview record prepared in respect to Hall (see Petitioner's Exhibit No. 14), Pope, included a statement as follows:

When given assignments requiring responsibility, the applicant has used his authority in such a manner as to antagonize subordinate employees and contractor's personnel.

30. When this interview record was sent to the Division Engineer's Office, it was returned to Mr. Pope, with instructions that this sentence be removed. In fact, the sentence was removed, and the document was submitted back to the Division Engineer's Office without this sentence in it (see Petitioner's Exhibit No. 10).

31. The record of this statement in the interview record was not suppose to appear in any documents maintained by the Department of Transportation. Somehow, however, Hall obtained the original document.

32. The Division Engineer testified during the course of the trial that this was an inappropriate comment, and that the comment indicated personal bias on the part of the selecting official who recommended Perry for the job and not Hall. He indicated it was removed from the record at his instruction, and should not have been included therein.

33. Pope clearly had a personal bias towards Hall which he had maintained since the late 1980's, and which had not been alleviated despite Hall's improved and very good performance in the recent years before the selection. Furthermore, Pope had expressed specific statements to Hall during the five (5) years before the selection concerning his age, and the aging process, as well as expressing similar statements to other employees of the Department of Transportation who were advanced in AGE.

34. Pope, as the selecting official, exhibited both personal bias and bias based upon age toward Hall in respect to the selection process in this particular case, and this personal bias based upon these two factors, is clearly present in the original interview record submitted as Petitioner Exhibit No. 14.

35. The officials approving the selection by Pope, were clearly aware of this personal bias upon receipt of Petitioner's Exhibit No. 14, but did not question the selection by Pope, or inquire into the facts and circumstances surrounding such. Furthermore,

no real effort was made by the Department of Transportation to re-examine the selection on the basis of personal bias or age at the time that Hall submitted a grievance in respect to the selection and had a hearing concerning such.

36. The failure to select Hall for the position, therefore, was based upon the personal bias of Pope, and Pope's direct statements concerning Hall's age during the period of time before the selection was made.

37. Pope has admitted to making the comments to Hall concerning his age, but claims that they were done in a joking manner. He has also admitted making comments concerning age to other DOT employees who have been older workers.

38. During the period of time that Pope has recommended selections for promotions within his particular District, he has never made a selection of anyone over age forty (40) nor recommended the selection of anyone over age forty (40) for such promotions.

39. Direct statements concerning age, coupled with the record of selections by J. R. Pope indicate a pattern of discrimination based upon age in respect to the selection process for promotions to Transportation Technician III and IV positions within Pope's District.

40. While the Department of Transportation has presented evidence that Perry was qualified for the job, they have not presented sufficient evidence that his qualifications exceeded Hall's, especially in the area of experience and diversity of the jobs previously performed by Hall. Furthermore, Hall has a greater educational background, and the Department of Transportation has failed to demonstrate other reasons for the selection of Perry, which are not related to the personal bias on the part of Pope and the pattern of age discrimination and direct evidence of age factors in respect to the selection in this case.

41. The petitioner has shown through direct and circumstantial evidence that age was a motivating factor in the employment decision to promote Perry rather than Hall. Further, even if the Department of Transportation presented some evidence that Perry was more qualified, the petitioner has carried his burden of demonstrating that this stated reason was pretextual, in light of the overwhelming evidence of personal bias and age discrimination followed by Mr. J. R. Pope.

42. The petitioner has demonstrated by a preponderance of the evidence and specifically by direct evidence concerning comments in respect to age, evidence concerning the interview conducted, and the pattern of selections by Pope that the decision to not select the petitioner for the job in question was based on the petitioner's age.

CONCLUSIONS OF LAW

The court, based upon the foregoing findings of fact, concludes, as a matter of law as follows:

1. That the Office of Administrative Hearings has jurisdiction over this case, the parties hereto and the subject matter thereof.

2. The petitioner has demonstrated, by a preponderance of the evidence, a prima facie case of age discrimination under the requirements of *McDonnell Douglas Corp. v. Green*, 411 U.S. 792 (1973) by demonstrating the following:

- (a) that he was in an age group protected by the ADEA (over 40 years of age);
- (b) that he was not selected for a promotion for which he was qualified and eligible;
- (c) at the time of his failure to be selected, he was performing his job at a level that met his employer's legitimate expectations; and
- (d) that someone outside of the class (and substantially younger than himself) was selected for the position.

3. The employer, the Department of Transportation, has failed to produce non-pretextual evidence that there was a legitimate business reason for the selection made in this case. Specifically, from the facts found above, the petitioner has demonstrated that he was more qualified for the position than the selectee herein, that he had significantly more relevant supervisory experience than the selectee herein, that he had significantly greater educational background, that he had significantly more experience in the various aspects of the requirements of the job, that he had significant supervisory skills, and that he had no difficulty getting along with people or workers on the job, and that therefore, the employer's alleged reasons for the selection were pretextual.

4. Furthermore, the court concludes as a matter of law that this case is a "mixed motive" case under the Supreme Court decision in *Price Waterhouse v. Hopkins*, 390 U.S. 228 (1989).

5. The court concludes, as a matter of law, that the petitioner in this matter has presented sufficient direct evidence of age discrimination, which constitutes an illegitimate motive on behalf of the employer.

6. Based upon the findings of fact cited herein above, the court specifically concludes, that the petitioner has demonstrated, by direct evidence, that this illegitimate motive played a part in the selection by Mr. Pope of a younger individual to fill the job in question.

7. The Department of Transportation, because it is a mixed motive case, has the burden of demonstrating, by affirmative evidence, and by a preponderance thereof, that age was not a motivating factor in the Department of Transportation's decision to not select the petitioner herein (see 42 U.S.C. § 2000e-2(m), Civil Rights Act of 1991).

8. The petitioner has demonstrated, by a preponderance of the evidence, that the direct comments concerning his age and the age of other workers, coupled with the other evidence presented in this case, including specifically the evidence of Pope's past record of promotion, the lack of a structured interview, or interview for the job, and the direct comments made by Pope to the petitioner herein concerning his age substantiates the fact that the selection in question by Pope was substantially motivated by petitioner's age.

9. The court concludes, also, as a matter of law, and by a preponderance of the evidence, that Pope had a personal bias against the petitioner herein, as evidenced by the comments made on the form submitted concerning the selection in this case in respect to the petitioner, and as evidenced by the matters appearing in the petitioner's personnel record without his knowledge, and as evidenced by the petitioner having to petition for removal of an old warning from his record. The court, however, finds that the respondents have failed to prove, however, that this factor would have resulted in the non-selection of petitioner, had it not been for the additional factor of his age.

10. The court, therefore, concludes as a matter of law, that the respondents have failed to establish the affirmative defense under the Civil Rights Act of 1991 and the *Price Waterhouse* case that they did not rely upon age in respect to the selection in this case.

11. The court concludes as a matter of law that the respondents herein have engaged in discrimination based on age, as prohibited by the Civil Rights Act of 1991, in respect to their failure to select the petitioner for the Transportation Technician IV position for which he applied in the early part of 1997.

RECOMMENDED DECISION

BASED UPON THE FOREGOING, the court recommends that the State Personnel Commission adopt this Decision, and enter the following relief:

1. That the petitioner be placed in the next available Technician IV position or a substantially equivalent position within Division I of the Department of Transportation which becomes available.

2. That the petitioner be awarded all back pay computed in accordance with the rules established by the State Personnel Commission for the computation thereof, and all back benefits, retroactive to the time he should have been selected for the position in question in February, 1997.

3. That the petitioner be awarded front pay, as computed under the rules of the State Personnel Commission, until he is laced in the next available Technician IV position within Division I of the Department of Transportation.

4. That the petitioner be awarded all of his costs and attorney's fees.

5. That the Department of Transportation, and specifically Division I thereof, be prohibited from engaging in any other acts of discrimination directed towards the petitioner herein, or any other retaliation against the petitioner herein for the filing of his grievance, this contested case, or any other matter associated with this proceeding.

6. That the petitioner be granted any other relief the State Personnel Commission deems appropriate in respect to this matter.

NOTICE

The final decision in this contested case will be made by the State Personnel Commission. The parties have the right to file exceptions to this recommended decision and to present written arguments to this agency. The agency will mail a copy of the final decision to the parties, the attorneys of record and the Office of Administrative Hearings.

This the 12th day of March, 1999.

Robert Roosevelt Reilly, Jr.
Administrative Law Judge

STATE OF NORTH CAROLINA

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
98 OSP 1380

COUNTY OF GASTON

LISA A. PHARR, MELINDA MALONE HEMBREE,
and FREDIA S. HUDSON,

Petitioner,

v.

GASTON COUNTY DEPARTMENT OF SOCIAL
SERVICES, GASTON COUNTY, NORTH CAROLINA,

Respondent.

RECOMMENDED DECISION

The Petition commencing this contested case was filed in the Office of Administrative Hearings on October 13, 1998. In the Petition, Petitioners allege that Respondent had a supervisory position become vacant, that each Petitioner desired to be promoted to this supervisory position, but that Respondent filled the position without posting the vacancy or giving Petitioners an opportunity to apply for it by filling the position as part of a settlement of a lawsuit against the department and county by a former employee. On December 11, 1998, Respondent filed a Motion to Dismiss, contending that it had the discretion to employ this remedy in settlement of a Section 1983 civil suit.

RESPONDENT'S MOTION TO DISMISS

On March 4, 1999, after certified mail notice, this case was brought on for hearing in Charlotte, North Carolina. Without taking any testimony, Respondent's Motion to Dismiss was argued by the parties. The parties stipulated on the record and in writing to the facts of the case. Also stipulated as fact was the resume of Petitioner Lisa A. Pharr.

North Carolina General Statute 126-7.1(a) provides, in pertinent part:

- (a) All vacancies for which any State agency, department, or institution openly recruit shall be posted within at least the following:
 - (1) The personnel office of the agency, department, or institution having the vacancy and
 - (2) The particular work unit of the agency, department, or institution having the vacancy....

State Personnel Rules governing the posting and announcement of vacancies provide, in pertinent part, as follows:

...Posting requirements shall not apply to:

- (1) Vacancies which must be used to meet management necessity, for which an agency will not openly recruit. Examples include vacancies committed to a budget reduction, vacancies used for disciplinary transfers or demotions....

N.C. Admin. Code Tit. 25, r. 01H.0602(c) (December 1995).

RECOMMENDED DECISION

Having considered the stipulations of the parties in determining the Motion to Dismiss, I find that this Motion should be, and hereby is, treated as one for Summary Judgment under G.S. 1A-1 Rule 56. Having considered the Motion in the light most favorable to the nonmovant, I find that Respondent is allowed by G.S. 126-7.1 and Rule .0602(c) of the State Personnel Commission to fill the position at issue here without openly recruiting for applicants as part of a settlement of a section 1983 civil action against Respondent. Therefore, Respondent's motion should be, and hereby is, ALLOWED.

ORDER

It is hereby ordered that the agency serve a copy of the final decision on the Office of Administrative Hearings, P.O. Drawer 27447, Raleigh, NC 27611-7447, in accordance with North Carolina General Statute 150B-36(b).

NOTICE

The agency making the final decision in this contested case is required to give each party an opportunity to file exceptions to this recommended decision and to present written arguments to those in the agency who will make the final decision. G.S. 150B-36(a).

The agency is required by G.S. 150B-36(b) to serve a copy of the final decision on all parties and to furnish a copy to the parties' attorneys of record and to the Office of Administrative Hearings.

The State Personnel Commission will issue an Advisory Decision in this case under the authority of G.S. 126-37(b1).

The agency that will make the final decision in this contested case is the Gaston County Department of Social Services.

This the 7th day of April, 1999

Beecher R. Gray
Administrative Law Judge

CUMULATIVE INDEX

(Updated through May 26, 1999)

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				

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.

ACUPUNCTURE, LICENSING BOARD

21 NCAC 01 .0101	12.22 NCR 1981		13.05 NCR 502	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 01 .0101	13.22 NCR 1820									
21 NCAC 01 .0105	12.22 NCR 1981		13:05 NCR 502	*	Approve	12/17/98	*		13 17 NCR 1381	

ADMINISTRATION

Council for Women, North Carolina
1 NCAC 17 13.19 NCR 1606

Environmental Policy Act

1 NCAC 25 .0211	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 25 .0212	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0213	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 25 .0301	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0302	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0303	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0402	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0504	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 25 .0505	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98			13 17 NCR 1381	
1 NCAC 25 .0506	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0602	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13 17 NCR 1381	
1 NCAC 25 .0603	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 25 .0605	12.23 NCR 2088		13:08 NCR 642	*	Approve	12/17/98	*		13:17 NCR 1381	

Indian Affairs, Commission of

1 NCAC 15 .0201	13.02 NCR 175			*						
1 NCAC 15 .0202	13.02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	

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1 NCAC 15 .0203	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0204	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0205	13:02 NCR 175									
1 NCAC 15 .0206	13:02 NCR 175									
1 NCAC 15 .0207	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0208	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0209	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0210	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0211	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0212	13:02 NCR 175									
1 NCAC 15 .0213	13:02 NCR 175									
1 NCAC 15 .0214	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
Non-Public Education										
1 NCAC 40 .0101		13:05 NCR 521								
1 NCAC 40 .0102		13:05 NCR 521								
1 NCAC 40 .0103		13:05 NCR 521								
		13:13 NCR 1057								
1 NCAC 40 .0201		13:05 NCR 521								
		13:13 NCR 1057								
1 NCAC 40 .0202		13:05 NCR 521								
		13:13 NCR 1057								
1 NCAC 40 .0203		13:05 NCR 521								
		13:13 NCR 1057								
1 NCAC 40 .0204		13:05 NCR 521								
		13:13 NCR 1057								
Purchase and Contract Division										
1 NCAC 05A .0101	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05A .0108	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05A .0112	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0101	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0102	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0201	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	

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					Action	Date				
1 NCAC 05B .0203	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0206	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0208	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0301		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0302		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0303	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0305	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0306	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0309	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0310		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0314	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0315	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0316		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0317	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0401		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0402	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0403	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0503	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0601	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0701	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0801		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0802		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0901	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .0905	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0906	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1101	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	

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1 NCAC 05B .1102	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1105	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1301		12:17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1303	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1401	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1402	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1501	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1505	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1507	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1509	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1510	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1511	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1512	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1513	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1517	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1518	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1519		12:17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1520	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1521	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1601	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1602	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1603	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1604		12:17 NCR 1611	13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1605	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1901	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1903	13-04 NCR 360		13-08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	

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1 NCAC 05B .1906		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1907	13:04 NCR 360		13:08 NCR 627	*						
1 NCAC 05B .1909	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05C	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360									
State Building Commission										
1 NCAC 30F .0305	13:04 NCR 360		13:08 NCR 645	*	Approve	12/17/98	*		13:17 NCR 1381	
State Employees Combined Campaign										
1 NCAC 35 .0101	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0103	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0202	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0304	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0308	13:04 NCR 360		13:08 NCR 647	*						
ADMINISTRATIVE HEARINGS										
26 NCAC 01 .0102	N/A	N/A	N/A	N/A	Approve	06/18/98			13:09 NCR 779	13:03 NCR 334
AGRICULTURE										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717	*						
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503	*						
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718	*						
Consumer Services										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0104	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
Structural Pest Control										
2 NCAC 34 .0404	12:09 NCR 743		12:14 NCR 1234	*	Object Approve	04/15/98 05/21/98	*		13:02 NCR 249	
Veterinary Board										

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2 NCAC 52B .0207	13.23 NCR 1946	13.23 NCR 1946								
2 NCAC 52B .0302	13.23 NCR 1901									
2 NCAC 52E .0209	13.23 NCR 1901									
APPRAISAL BOARD										
21 NCAC 57A .0101	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0102	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0201	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0202	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0203	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0204	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0205	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0206	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0207	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0208	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0210	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0301	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0302	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0303	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0304	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0305	13.01 NCR 3		13.05 NCR 513	*	Object	11/19/98	*		13.16 NCR 1265	
					Approve	03/18/99				
21 NCAC 57A .0306	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0401	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0402	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0403	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0404	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0405	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0406	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0407	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	

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21 NCAC 57A .0501	13-01 NCR 3		13-05 NCR 513	*	Approve	11/19/98			13-16 NCR 1265	
ATHLETIC TRAINER EXAMINERS, BOARD OF										
21 NCAC 03 .0101		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0102		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0103		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0201		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0301		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0302		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0303		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0304		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
21 NCAC 03 .0401		12-18 NCR 1714	12-22 NCR 2007	S	Approve	09/17/98			13-11 NCR 912	
ATHLETIC TRAINER EXAMINERS/MEDICAL BOARD COMMITTEE										
21 NCAC 03 .0501		12-18 NCR 1714	12-22 NCR 2007	*	Approve	09/17/98	*		13-11 NCR 912	
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS										
21 NCAC 08A .0301	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08A .0308	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08A .0310	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08A .0315	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08F .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08F .0504	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0101	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08I .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0108	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0110	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0111	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	

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21 NCAC 08K .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08K .0105	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0103	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0201	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0202	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0204	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0206	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0207	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0301	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0302	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0303	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0304	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0305	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0306	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0401	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0402	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08M .0403	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08N .0202	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08N .0208	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 08N .0302	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08N .0303	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08N .0306	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08N .0307	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
CHIROPRACTIC										
21 NCAC 10 .0203		12-23 NCR 2098	13-14 NCR 1117	*	Approve	04/15/99	*			
COMMERCE										
1 NCAC 01E .0104	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98				

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4 NCAC 01E .0202	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99	*		13-22 NCR 1868	
4 NCAC 01E .0205	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01E .0206	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01E .0207	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01E .0303	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01E .0306	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01F	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01H	11-09 NCR 569									
4 NCAC 01H .0101	11-09 NCR 569	13-15 NCR 1224	13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0101	11-09 NCR 569		13-20 NCR 1719	L/S						
4 NCAC 01H .0102	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0102	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0201	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0201	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0202	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0202	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0301	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0301	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0302	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0302	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0303	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0303	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0304	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0401	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0401	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0402	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0402	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0403	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0403	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0404	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0404	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0405	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	*						
4 NCAC 01H .0405	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0501	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	L/S						
4 NCAC 01H .0502	11-09 NCR 569		13-08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01H .0502	11-09 NCR 569	13-15 NCR 1224	13-20 NCR 1719	L/S						

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4 NCAC 01I .0503	11:09 NCR 569		13:08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01I .0503		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 01I .0601	11:09 NCR 569		13:08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01I .0601		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 01I .0701	11:09 NCR 569		13:08 NCR 652	*	Agency withdrew	12/17/98				
4 NCAC 01I .0701		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 01I .0801		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 01J	11:09 NCR 569									
4 NCAC 01K .0101	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0102	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
4 NCAC 01K .0103	11:09 NCR 569		13:08 NCR 652	*	Object	01/21/99			13:22 NCR 1868	
4 NCAC 01K .0104	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98	*		13:17 NCR 1381	
4 NCAC 01K .0105	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0202	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0203	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0204	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0205	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0206	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0301	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0302	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
4 NCAC 01K .0401	11:09 NCR 569		13:08 NCR 652	*	Approve	01/21/99			13:17 NCR 1381	
4 NCAC 01K .0402	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0404	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98	*		13:22 NCR 1868	
Banking Commission										
4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03B .0102	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				

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COMMUNITY COLLEGES										
23 NCAC 02B .0104	13:10 NCR 804		13:22 NCR 1849	*						
23 NCAC 02C .0307		13:05 NCR 524								
23 NCAC 02C .0503		13:10 NCR 815	13:22 NCR 1849	*						
23 NCAC 02C .0504		13:10 NCR 815	13:22 NCR 1849	*						
23 NCAC 02C .0505		13:10 NCR 815	13:22 NCR 1849	*						
23 NCAC 02D .0323	13:19 NCR 1609									
23 NCAC 02D .0324	13:19 NCR 1609									
COSMETIC ART EXAMINERS										
21 NCAC 14A .0101	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14A .0103	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14A .0104	13:14 NCR 1114									
21 NCAC 14A .0104	N/A	N/A	N/A	N/A	Approve	07/23/98			13:09 NCR 779	
21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14F .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*						
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*						
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14I .0107	12:22 NCR 1981	13:14 NCR 1157	13:02 NCR 246	*	Approve	09/17/98	*		13:11 NCR 912	
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14J .0103		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14J .0208	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*						

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21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14L .0105	12:06 NCR 453		12:11 NCR 925	*	Approve	06/18/98			13:03 NCR 334	
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0109		13:14 NCR 1157								
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0103	12:06 NCR 453		12:11 NCR 925	*	Approve	09/17/98	*		13:11 NCR 912	
21 NCAC 14N .0103	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0104		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0105	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0108	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0110		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0112	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0113	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0601		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0602		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0701		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14N .0702		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0101		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0102		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0103		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0104		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0105		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14O .0106		13:14 NCR 1157	13:19 NCR 1652	*						

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21 NCAC 14O .0107		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14P .0101		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14P .0102		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0103		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0104		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0105		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0106		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0107		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0108		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0109		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0110		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0111		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0112		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0113		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0114		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0115		13:14 NCR 1157	13:19 NCR 1652	L						
21 NCAC 14P .0116		13:14 NCR 1157	13:19 NCR 1652	L						
CRIME CONTROL & PUBLIC SAFETY										
Governor's Crime Commission										
14A NCAC 07 .0313	11:24 NCR 1818		12:01 NCR 6	*	Object Approve	09/17/98 10/22/98	*		13:11 NCR 912 13 14 NCR 1167	
DENTAL EXAMINERS										
21 NCAC 16G .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16G .0103	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16H .0101	12:24 NCR 2203									
21 NCAC 16H .0102	12:24 NCR 2203									
21 NCAC 16H .0103	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0104	12:24 NCR 2203		13:15 NCR 1218	*						

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21 NCAC 1611 .0201	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0202	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0203	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 1611 .0204	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 1611 .0205	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16H .0206	12-24 NCR 2203									
21 NCAC 161 .0004	11-20 NCR 1538									
21 NCAC 161 .0005	11-20 NCR 1538									
21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*						
21 NCAC 16P .0101	13:10 NCR 804									
21 NCAC 16P .0102	13:10 NCR 804									
21 NCAC 16P .0103	13:10 NCR 804									
21 NCAC 16P .0104	13:10 NCR 804									
21 NCAC 16P .0105	13:10 NCR 804									
21 NCAC 16Q .0101	12-24 NCR 2203									
21 NCAC 16Q .0201	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0202	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0301	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0302	12-24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16R .0002	11-20 NCR 1538									
21 NCAC 16R .0003	11-20 NCR 1538									
21 NCAC 16R .0005	11-20 NCR 1538									
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	N/A	N/A	N/A	N/A	Approve	08/20/98			13:10 NCR 817	
ELECTRICAL CONTRACTORS, EXAMINERS OF										
21 NCAC 18B .0108	12-22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 18B .0201	12-22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98			13:16 NCR 1265	

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21 NCAC 18B .0202	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0203	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0402	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0406	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0501	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0504	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0505	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0701	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0702	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0703	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0704	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0706	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1001	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1002	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1003	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1004	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1101	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1102	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1104	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1105	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF										
21 NCAC 11 .0101	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0102	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agey. withdrew					
21 NCAC 11 .0103	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agey. withdrew					
21 NCAC 11 .0104	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0105	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0106	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0107	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0108	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	

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21 NCAC 11 .0109	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 .0110	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	02/18/99	*		13:22 NCR 1868	
21 NCAC 11 .0111	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	
21 NCAC 11 .0112	12:19 NCR 1764	12:21 NCR 1884	13:03 NCR 313	S/L	Approve	01/21/99	*		13:22 NCR 1868	

ENVIRONMENT AND NATURAL RESOURCES

Notice of Intent to Redevelop a Brownfields Property										
Notice of Intent to Redevelop a Brownfields Property										
15A NCAC 01J .0101		13:18 NCR 1528	13:22 NCR 1827	*						13:06 NCR 537
15A NCAC 01J .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						13:19 NCR 1602
15A NCAC 01J .0202		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0303		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0402		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0502		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0504		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01J .0701		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0703		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0803		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0903		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01J .0904		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01K	10:19 NCR 2506									
15A NCAC 01L .0101		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0102		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0203		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0303		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0501		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0503		13:18 NCR 1528	13:22 NCR 1827	*						

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15A NCAC 01L .0601		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0604		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0701		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .0801		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .0902		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L .1003		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L .1004		13:18 NCR 1528	13:22 NCR 1827	*						
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	13:04 NCR 362	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0102	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0103	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0201	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0202	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0203	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0301	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0302	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0303	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0304	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N .0401	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0402	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 01N .0403	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Object	11/19/98			13.17 NCR 1381	
15A NCAC 01N .0501	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 01N .0502	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0503	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0601	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0602	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0603	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0604	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Object	11/19/98			13.17 NCR 1381	
15A NCAC 01N .0605	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 01N .0606	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0701	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0702	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Object	11/19/98			13.17 NCR 1381	
15A NCAC 01N .0703	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 01N .0704	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 01N .0705	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Object	11/19/98	*		13.17 NCR 1381	
15A NCAC 01N .0801	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 01N .0802	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0901	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01N .0902	12.08 NCR 614	12.16 NCR 1511	13.04 NCR 362	S	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 01O .0101	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0102	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0103	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0104	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0105	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0106	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0107	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 01O .0108	12.16 NCR 1482	12.17 NCR 1617	13.07 NCR 588	*	Approve	12/17/98	*		13.17 NCR 1381	

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15A NCAC 010 .0109	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 12B .0901	12:13 NCR 1097	12:03 NCR 209	13:05 NCR 495	L	Approve	12/17/98			13:17 NCR 1381	
Coastal Resources Commission										
15A NCAC 07 11:04 NCR 183										
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L						
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07M .0307	13:22 NCR 1818									
15A NCAC 07H .0308	12:16 NCR 1489		13:01 NCR 26	S	Approve	09/17/98	*		13:11 NCR 912	
15A NCAC 07H .0308	N/A		N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S						
15A NCAC 07H .0310	12:11 NCR 919		12:20 NCR 1828	S	Approve	08/20/98	*		13:10 NCR 817	
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1200	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .1301	12:21 NCR 1873									
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .1600	11:15 NCR 1200									
15A NCAC 07H .1700	12:21 NCR 1873									
15A NCAC 07H .1705	12:16 NCR 1489		13:01 NCR 26	S	Object Approve	09/17/98 10/22/98	*		13:11 NCR 912 13:14 NCR 1167	

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15A NCAC 070 .0202	13:02 NCR 176		13:06 NCR 551	S	Approve	12/17/98	*		13:17 NCR 1381	
Environmental Management Commission										
NPDES Permits										
15A NCAC 02	10:24 NCR 3045									
15A NCAC 02	11:04 NCR 183									
15A NCAC 02	11:19 NCR 1408									
15A NCAC 02B .0100	13:08 NCR 621									
15A NCAC 02B .0101	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0200	13:08 NCR 621		11:30 NCR 2303	*						
15A NCAC 02B .0202	11:24 NCR 1818									
15A NCAC 02B .0223	11:02 NCR 75									
15A NCAC 02B .0223	11:03 NCR 109									
15A NCAC 02B .0225	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0227	10:18 NCR 2400		11:12 NCR 973	*						
15A NCAC 02B .0230	11:24 NCR 1818		11:30 NCR 2303	*						
15A NCAC 02B .0231	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L/SE						
15A NCAC 02B .0233	11:02 NCR 75		11:10 NCR 824 11:14 NCR 1136	L	Object Approve	01/15/98 02/19/98	*		12:22 NCR 2012	Disapproved (HFB 1402)
15A NCAC 02B .0245	12:23 NCR 2088	12:02 NCR 77 12:14 NCR 1348 12:20 NCR 1836	12:06 NCR 462 13:04 NCR 368	S/L/SE *						
15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0248	12:23 NCR 2088		13:04 NCR 368	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0249	12:23 NCR 2088		13:04 NCR 368	SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0250	12:23 NCR 2088		13:04 NCR 368	L/SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0251	12:23 NCR 2088		13:04 NCR 368	L/SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0255	13:23 NCR 1901									

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					Action	Date				
15A NCAC 02B 0256	13:23 NCR 1901									
15A NCAC 02B 0257	13:23 NCR 1901									
15A NCAC 02B 0258	13:23 NCR 1901									
15A NCAC 02B 0259	13:23 NCR 1901									
15A NCAC 02B 0260	13:23 NCR 1901									
15A NCAC 02B 0261	13:23 NCR 1901									
15A NCAC 02B 0262	13:23 NCR 1901									
15A NCAC 02B 0303	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B 0304	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B 0306	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B 0306	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B 0308	12:12 NCR 993		12:21 NCR 1879	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0308	12:14 NCR 1233		12:23 NCR 2091	L	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0308	12:14 NCR 1233		12:19 NCR 1769	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0308	12:16 NCR 1489			*						
15A NCAC 02B 0308	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B 0309	12:14 NCR 1233		12:19 NCR 1769	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0310	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B 0311	12:10 NCR 865		12:20 NCR 1825	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0311	12:23 NCR 2088		13:04 NCR 368	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B 0313	12:10 NCR 865		12:20 NCR 1825	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B 0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (11B 1402)
15A NCAC 02B 0317	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D 0101	12:02 NCR 52									
15A NCAC 02D 0101	12:16 NCR 1482									
15A NCAC 02D 0108	11:15 NCR 1200									
15A NCAC 02D 0307	11:15 NCR 1200									
15A NCAC 02D 0405	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	

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15A NCAC 02D .0409	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0410	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0501	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0503	10:24 NCR 3045		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0504	10:24 NCR 3045		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0524	13:08 NCR 621									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252									
15A NCAC 02D .0601	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0602	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0604	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0605	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0606	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0607	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0608	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0610	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0610	11:15 NCR 1200									
15A NCAC 02D .0611	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0611	11:15 NCR 1200									
15A NCAC 02D .0612	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0612	11:15 NCR 1200									

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15A NCAC 02D 0613	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D 0613	11:15 NCR 1200									
15A NCAC 02D 0614	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D 0614	11:15 NCR 1200									
15A NCAC 02D 0615	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	
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	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	
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 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 0926	13:16 NCR 1252									
15A NCAC 02D 0927	13:16 NCR 1252									
15A NCAC 02D 0932	13:16 NCR 1252									
15A NCAC 02D 0934	11:19 NCR 1408									
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									
15A NCAC 02D 0952	12:16 NCR 1482									

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15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1104	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	13:12 NCR 943									
15A NCAC 02D .1200	13:16 NCR 1252									
15A NCAC 02D .1201	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1202	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1203	11:15 NCR 1200									
15A NCAC 02D .1203	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1204	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1204	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1205	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1206	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1208	12:16 NCR 1482		13:03 NCR 270	L	Object	11/19/98				
15A NCAC 02D .1209	12:16 NCR 1482		13:03 NCR 270	L	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02D .1404	10:18 NCR 2318		13:03 NCR 270	L	Approve	11:19/98	*		13:16 NCR 1265	
15A NCAC 02D .1404	11:15 NCR 1200		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1501	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1502	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1503	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1504	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1601	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 02D 1700	12.02 NCR 52									
15A NCAC 02D 1703	13.16 NCR 1252									
15A NCAC 02D 1801		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D 1802		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D 1803		13.18 NCR 1545								
		13.22 NCR 1860								
15A NCAC 02D 1804		13.18 NCR 1545								
15A NCAC 02D 1805		13.18 NCR 1545								
15A NCAC 02D 1903	12.16 NCR 1482									
15A NCAC 02D 1903	13.12 NCR 943									
15A NCAC 02D 1904	12.16 NCR 1482									
15A NCAC 02D 2001	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 2002	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D 2003	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 2004	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 02D 2005	12.20 NCR 1817		13.03 NCR 270	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 2100	13.04 NCR 356									
15A NCAC 02D 2200	11.26 NCR 1976									
15A NCAC 02E 0102	13.20 NCR 1715									
15A NCAC 02E 0103	13.20 NCR 1715									
15A NCAC 02E 0106	13.20 NCR 1715									
15A NCAC 02E 0107	13.20 NCR 1715									
15A NCAC 02E 0201	13.20 NCR 1715									
15A NCAC 02E 0202	13.20 NCR 1715									
15A NCAC 02E 0205	13.20 NCR 1715									
15A NCAC 02E 0501	13.20 NCR 1715									
15A NCAC 02E 0502	13.20 NCR 1715									
15A NCAC 02E 0503	13.20 NCR 1715									
15A NCAC 02E 0504	13.20 NCR 1715									

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15A NCAC 0211 .0226	12-20 NCR 1817	13-04 NCR 426	13-05 NCR 491	*						
15A NCAC 0211 .0610	10-18 NCR 2317		12-08 NCR 650	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 0211 .0610	12-02 NCR 52	12-02 NCR 77 Temp Expired 04/11/98								
15A NCAC 0211 .0800	13-04 NCR 356									
15A NCAC 0211 .0800	13-08 NCR 621									
15A NCAC 0211 .1202	11-15 NCR 1200									
15A NCAC 0211 .1203	11-15 NCR 1200									
15A NCAC 0211 .1204	11-15 NCR 1200									
15A NCAC 0211 .1205	11-15 NCR 1200									
15A NCAC 02L	11-15 NCR 1200 11-15 NCR 1204									
15A NCAC 02L .0106		12-08 NCR 713								
15A NCAC 02L .0115	11-15 NCR 1204	12-08 NCR 713								
15A NCAC 02L .0202	10-20 NCR 2591									
15A NCAC 02L .0202	13-04 NCR 356									
15A NCAC 02N	11-15 NCR 1200									
15A NCAC 02N	11-15 NCR 1204									
15A NCAC 02P	11-15 NCR 1200									
15A NCAC 02P .0402	11-15 NCR 1204	12-08 NCR 713								
15A NCAC 02Q .0102	11-19 NCR 1408									
15A NCAC 02Q .0102	12-02 NCR 52		13-03 NCR 270	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02Q .0102	12-16 NCR 1482									
15A NCAC 02Q .0102	13-08 NCR 621									
15A NCAC 02Q .0102	13-12 NCR 943									
15A NCAC 02Q .0102		13-18 NCR 1545								
15A NCAC 02Q .0103	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02Q .0103	12-20 NCR 1817									
15A NCAC 02Q .0107	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02Q .0304	11-26 NCR 1976		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	

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15A NCAC 02Q 0306	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0309	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0314	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0315	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0401	12:04 NCR 240		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0402	12:04 NCR 240		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0508	13:08 NCR 621									
15A NCAC 02Q 0511	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0700	11:08 NCR 442									
15A NCAC 02Q 0702	13:12 NCR 943		13:20 NCR 1727	*						
15A NCAC 02Q 0703	13:04 NCR 356									
15A NCAC 02Q 0711	13:04 NCR 356									
15A NCAC 02Q 0711	13:16 NCR 1252									
15A NCAC 02Q 0801	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q 0803	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q 0808	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
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 0600	12:02 NCR 52									
15A NCAC 02S	13:18 NCR 1502									
Health Services, Commission for										
15A NCAC 13A 0100	12:02 NCR 52									
15A NCAC 13A 0109	12:07 NCR 509		12:22 NCR 2000	*	Approve	09/17/98			13:11 NCR 912	
15A NCAC 13A 0110	12:07 NCR 509		12:22 NCR 2000	*	Approve	09/17/98			13:11 NCR 912	
15A NCAC 13A 0111	12:07 NCR 509		12:22 NCR 2000	*	Approve	09/17/98			13:11 NCR 912	
15A NCAC 13B 1301		12:12 NCR 1064	12:24 NCR 2211	*	Approve	09/17/98			13:11 NCR 912	
15A NCAC 13B 1624	11:19 NCR 1764	13:03 NCR 325	12:24 NCR 2211	L	Object	09/17/98				
15A NCAC 13B 1627	11:08 NCR 442		11:13 NCR 1055	*	Approve	11/19/98	*		13:16 NCR 1265	

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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 .0425		12-14 NCR 1352								
		13-06 NCR 566	13-06 NCR 566	*	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A .0432		12-14 NCR 1352								
		13-06 NCR 566	13-06 NCR 566	*	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A .1000	13-16 NCR 1252									
15A NCAC 18A .1202	N/A		N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A .1300	13-16 NCR 1252									
15A NCAC 18A .1600	13-16 NCR 1252									
15A NCAC 18A .1601		12-21 NCR 1882								
15A NCAC 18A .1611		12-21 NCR 1882								
		13-12 NCR 979	13-20 NCR 1738	*						
15A NCAC 18A .1700	13-16 NCR 1252									
15A NCAC 18A .1720	12-16 NCR 1482									
		12-18 NCR 1713								
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15A NCAC 18A .1808	13-08 NCR 621		13-13 NCR 1047	*	Approve	04/15/99	*			
15A NCAC 18A .1810			13-13 NCR 1047	*	Approve	04/15/99				
		12-24 NCR 2228								
15A NCAC 18A .1812	13-08 NCR 621	13-20 NCR 1740	13-13 NCR 1047	*	Approve	04/15/99	*			
15A NCAC 18A .1952		13-12 NCR 979								
15A NCAC 18A .1953		13-12 NCR 979								
15A NCAC 18A .1954		13-12 NCR 979								
15A NCAC 18A .1955		13-12 NCR 979								
15A NCAC 18A .2308	12-03 NCR 168		12-07 NCR 519	*	Ext. Review Object	12/18/97 01/15/98				
15A NCAC 18A .2309	12-03 NCR 168		12-07 NCR 519	*	Ext. Review Object	12/18/97 01/15/98				
15A NCAC 18A .2400	13-16 NCR 1252									
15A NCAC 18A .2508	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2513	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2515	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98			13-14 NCR 1167	

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15A NCAC 18A .2517	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 18A .2518	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 18A .2522	12.08 NCR 614		13:01 NCR 31	*	Object	10/22/98				
15A NCAC 18A .2526	12.08 NCR 614		13:01 NCR 31	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 18A .2528	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2530	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2531	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2532	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2535	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2537	12.08 NCR 614		13:01 NCR 31	*	Object	10/22/98	*			
15A NCAC 18A .2539	12.08 NCR 614		13:01 NCR 31	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 18A .2543	12.08 NCR 614		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2600	12.04 NCR 240		13:01 NCR 31	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2612		12:14 NCR 1352								
15A NCAC 18A .2801	12.16 NCR 1482	13:06 NCR 566	13:06 NCR 566	*	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 18A .2802	12.16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2803	12.16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2804	12.16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Object	10/22/98	*			
					Object	11/19/98			13:17 NCR 1381	
					Approve	12/17/98				
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		13:02 NCR 235	*	Object	10/22/98	*		13:16 NCR 1265	
15A NCAC 18A .2809	12.16 NCR 1482				Approve	11/19/98				
15A NCAC 18A .2810	12.16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2811	12.16 NCR 1482									
15A NCAC 18A .2812	12.16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	

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15A NCAC 18A .2813	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2814	12:16 NCR 1482									
15A NCAC 18A .2815	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 18A .2816	12:16 NCR 1482									
15A NCAC 18A .2817	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2818	12:16 NCR 1482									
15A NCAC 18A .2819	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2820	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2821	12:16 NCR 1482									
15A NCAC 18A .2822	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2823	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 18A .2824	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2825	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2826	12:16 NCR 1482									
15A NCAC 18A .2827	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Object	10/22/98			13:16 NCR 1265	
15A NCAC 18A .2828	12:16 NCR 1482		13:02 NCR 235	*	Approve	11/19/98	*		13:14 NCR 1167	
15A NCAC 18A .2829	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2830	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2831	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 18A .2832	12:16 NCR 1482		13:02 NCR 235	*	Approve	10/22/98	*		13:14 NCR 1167	
15A NCAC 18A .2833	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Object	10/22/98	*		13:16 NCR 1265	
15A NCAC 18A .2834	12:16 NCR 1482	12:19 NCR 1782	13:02 NCR 235	*	Approve	11/19/98	*		13:14 NCR 1167	
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	Object	07/23/98	*		13:10 NCR 817	
15A NCAC 18A .3102	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	08/20/98				
15A NCAC 18A .3103	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Object	07/23/98	*		13:10 NCR 817	
					Approve	08/20/98			13:09 NCR 779	

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15A NCAC 18A .3104	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	07/23/98	*		13:09 NCR 779	
15A NCAC 18A .3105	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Object	07/23/98			13:10 NCR 817	
15A NCAC 18A .3106	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	08/20/98	*		13:09 NCR 779	
15A NCAC 18A .3107	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	07/23/98	*		13:09 NCR 779	
15A NCAC 18A .3108	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	07/23/98	*		13:09 NCR 779	
15A NCAC 18A .3109	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Object	07/23/98	*		13:10 NCR 817	
15A NCAC 18A .3110	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	07/23/98	*		13:10 NCR 817	
15A NCAC 18A .3111	12:11 NCR 920	12:12 NCR 1064	12:20 NCR 1829	S	Approve	08/20/98	*		13:09 NCR 779	
15A NCAC 18C	13:04 NCR 356	12:12 NCR 1064	12:20 NCR 1829	S	Approve	07/23/98			13:09 NCR 779	
15A NCAC 18D .0201	13:23 NCR 1928									
15A NCAC 18D .0203	13:23 NCR 1928									
15A NCAC 18D .0205	13:23 NCR 1928									
15A NCAC 18D .0206	13:23 NCR 1928									
15A NCAC 18D .0304	13:23 NCR 1928									
15A NCAC 18D .0307	13:23 NCR 1928									
15A NCAC 18D .0308	13:23 NCR 1928									
15A NCAC 18D .0309	13:23 NCR 1928									
15A NCAC 18D .0403	13:23 NCR 1928									
15A NCAC 18D .0701	13:23 NCR 1928									
15A NCAC 19A .0101	12:02 NCR 52	12:02 NCR 88								
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									

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15A NCAC 04B .0106	12:20 NCAC 1817		13:09 NCR 760	*						
15A NCAC 04B .0107	12:20 NCAC 1817		13:09 NCR 760	*						
15A NCAC 04B .0127	12:20 NCAC 1817		13:09 NCR 760	*						
15A NCAC 04C .0107	13:12 NCR 943		13:19 NCR 1651	*						
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 03	12:14 NCR 1113									
15A NCAC 03	13:17 NCR 1377									
15A NCAC 03H .0103	12:23 NCR 2089									
15A NCAC 03I .0101	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 03J .0103	13:08 NCR 739									
15A NCAC 03J .0107	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 03J .0109	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03J .0202	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03L .0102	11:07 NCR 407		11:11 NCR 888	*						
15A NCAC 03M .0501	13:08 NCR 739									
15A NCAC 03M .0503	12:19 NCR 1762		13:03 NCR 303	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 03M .0506	13:22 NCR 1865									
15A NCAC 03M .0507	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 03M .0507	13:10 NCR 803									
15A NCAC 03M .0513	11:26 NCR 1976		12:05 NCR 418	*						
15A NCAC 03M .0513	13:19 NCR 1666									
15A NCAC 03M .0515	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03O .0303			13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03O .0306	12:19 NCR 1780		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03O .0401	12:23 NCR 2094		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
	13:18 NCR 1553									

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15A NCAC 030 .0402		13:18 NCR 1553								
15A NCAC 030 .0403		13:18 NCR 1553								
15A NCAC 030 .0404		13:18 NCR 1553								
15A NCAC 030 .0405		13:18 NCR 1553								
15A NCAC 030 .0406		13:18 NCR 1553								
15A NCAC 03P .0103	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03P .0201	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03P .0202	12:23 NCR 2089		13:03 NCR 303	*	Object	11/19/98			13:17 NCR 1381	
15A NCAC 03P .0203	12:23 NCR 2089		13:03 NCR 303	*	Approve	12/17/98	*		13:16 NCR 1265	
15A NCAC 03P .0301	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 03P .0302	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03P .0303	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03P .0304	12:23 NCR 2089		13:03 NCR 303	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 03Q .0107	11:26 NCR 1985		13:13 NCR 1043	*						
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									

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15A NCAC 12B .0802	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									
Radiation Protection										
15A NCAC 11 .0104	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0111	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0117	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0305	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0317	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0318	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0321	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0323	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0339	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0353	12:22 NCR 1979		13:04 NCR 378	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0359	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0360	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0361	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0362	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0502	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0503	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0506	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0507	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0508	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0509	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0510	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0511	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0512	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 11 .0513	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0515	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0516	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0517	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0520	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0521	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0522	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0523	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0524	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0525	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0702	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0703	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1003	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1100	12:04 NCR 240									No/Action by Agency
15A NCAC 11 .1400	12:04 NCR 240									No/Action by Agency
15A NCAC 11 .1633	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1635	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .1647	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1653	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
Soil & Water Conservation										
15A NCAC 06E .0105	12:20 NCR 1817		13:01 NCR 25	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 06E .0107	12:20 NCR 1817		13:08 NCR 688	*	Approve	12/17/98			13:17 NCR 1381	
Water Pollution Control System Operators Certification Commission										
15A NCAC 08A .0101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0202	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0301	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0302	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08A .0303	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 08B .0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0103	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0104	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0105	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0106	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0108	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0109	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0201	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0202	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0203	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0204	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0205	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0207	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0208	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0209	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0210	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0211	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0212	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0213	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0214	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0301	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0302	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0303	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0304	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0402	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0404	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0405	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0406	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B .0502	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	

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15A NCAC 08B .0506	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0102	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0104	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0105	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0106	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0107	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0108	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0102	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0104	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0105	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0106	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08E	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0406	13:16 NCR 1252									
15A NCAC 08F .0407	13:16 NCR 1252									
15A NCAC 08G .0101	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0102	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0201	11:26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0202	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0203	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0204	11:26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0205	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0301	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0302	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0303	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0304	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0305	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0306	11:26 NCR 1976		13-02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0307	11:26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	

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15A NCAC 08G .0308	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0401	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98			13:17 NCR 1381	
15A NCAC 08G .0402	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0403	11:26 NCR 1976		13:02 NCR 204	*	Object	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0404	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .0405	11:26 NCR 1976		13:02 NCR 204	*	Object	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0406	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .0407	11:26 NCR 1976		13:02 NCR 204	*	Object	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0408	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0409	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0501	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0502	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0503	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0504	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0505	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98			13:17 NCR 1381	
15A NCAC 08G .0601	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:16 NCR 1265	
15A NCAC 08G .0602	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0603	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0604	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0701	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0801	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0802	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98			13:17 NCR 1381	
15A NCAC 08G .0803	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:16 NCR 1265	
15A NCAC 08G .0804	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0901	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0902	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98			13:16 NCR 1265	

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15A NCAC 08G 1001	11-26 NCR 1976		13-02 NCR 204	*	Approve Agcy withdrew	12/17/98 11/19/98	*		13:17 NCR 1381	
15A NCAC 08G 1002	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G 1101	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G 1102	11-26 NCR 1976		13-02 NCR 204	*	Agcy withdrew	11/19/98				
Well Contractors Certification Commissio										
15A NCAC 27 0101	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0110	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0201	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0301	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0401	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0410	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0420	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0430	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0440	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0501	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0510	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0520	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0601	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0701	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0801	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0810	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0820	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0830	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0840	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0901	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0910	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0920	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						
15A NCAC 27 0930	13-10 NCR 803	13-12 NCR 988	13-21 NCR 1788	*						

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Wildlife Resources Commission										
Public Notice - 15A NCAC 10B .0105										
15A NCAC 10B .0100	13:08 NCR 625									
15A NCAC 10B .0105		13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0113	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B .0115	13:18 NCR 1502		13:22 NCR 1842	*						13:04 NCR 353
15A NCAC 10B .0200	13:08 NCR 625									
15A NCAC 10B .0202	13:08 NCR 625									
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B .0205	13:08 NCR 625	13:10 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B .0207	12:06 NCR 445	13:19 NCR 1666	13:12 NCR 948	*	Approve	09/17/98	*		13:11 NCR 912	
15A NCAC 10B .0209	13:08 NCR 625	13:04 NCR 427	12:24 NCR 2205	*	Approve	04/15/99	*			
15A NCAC 10B .0212	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Object	04/15/99				
15A NCAC 10B .0300	13:08 NCR 625	13:19 NCR 1666								
15A NCAC 10B .0302	13:08 NCR 625									
15A NCAC 10B .0403	13:23 NCR 1928	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0100	13:08 NCR 625									
15A NCAC 10C .0107	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C .0200	13:08 NCR 625		13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0205	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*						
15A NCAC 10C .0206	13:08 NCR 625									
15A NCAC 10C .0300	13:08 NCR 625		13:12 NCR 948	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0302	13:01 NCR 3	13:11 NCR 907	13:05 NCR 492	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0305	13:01 NCR 3	13:11 NCR 907	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C .0400	13:01 NCR 3	13:19 NCR 1666								

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15A NCAC 10C .0400	13:08 NCR 625									
15A NCAC 10C .0401	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0404	12:06 NCR 445		12:12 NCR 1004	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0405	13:01 NCR 3	13:11 NCR 907	13:05 NCR 492	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 10C .0501	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10C .0502	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10C .0503	13:14 NCR 1113		13:20 NCR 1737	*						
15A NCAC 10D	12:18 NCR 1694									
15A NCAC 10D .0102	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99				
15A NCAC 10D .0102	13:19 NCR 1609									
15A NCAC 10D .0103	12:18 NCR 1694		12:24 NCR 2205	*						
15A NCAC 10D .0103	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10D .0103	13:19 NCR 1609									
15A NCAC 10F .0201	N/A		N/A	N/A	Approve	03/18/99				
15A NCAC 10F .0300	13:14 NCR 1113									
15A NCAC 10F .0301	12:19 NCR 1763	12:24 NCR 2224	12:24 NCR 2224	*	Object Approve	10/22/98 11/19/98	*		13:16 NCR 1265	
15A NCAC 10F .0303	12:19 NCR 1763									
15A NCAC 10F .0303	N/A		N/A		Approve	05/21/98			13:02 NCR 249	
15A NCAC 10F .0305	12:10 NCR 865	12:16 NCR 1518	12:16 NCR 1518	*	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0310	12:19 NCR 1763	12:24 NCR 2224	12:24 NCR 2224	L	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 10F .0310	13:07 NCR 595	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*			
15A NCAC 10F .0311	12:11 NCR 920	12:24 NCR 2224	12:17 NCR 1608	L	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0314	12:19 NCR 1763									
15A NCAC 10F .0317	12:11 NCR 920	12:24 NCR 2224	12:17 NCR 1608	L	Approve	07/23/98			13:09 NCR 779	
15A NCAC 10F .0317	13:08 NCR 625		13:14 NCR 1116	*	Approve	04/15/99				
15A NCAC 10F .0318	12:06 NCR 445									
15A NCAC 10F .0321	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L						

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15A NCAC 10F .0323	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L						
15A NCAC 10F .0327	12:11 NCR 920	12:24 NCR 2224	12:17 NCR 1608	L	Approve	07/23/98	*		13:09 NCR 779	
15A NCAC 10F .0330	13:03 NCR 269	13:07 NCR 595	13:07 NCR 595	S/L						
15A NCAC 10F .0330	13:11 NCR 855	13:15 NCR 1217	13:15 NCR 1231	L	Approve	04/15/99				
15A NCAC 10F .0339	13:13 NCR 1040	13:19 NCR 1666	13:19 NCR 1666	L						
15A NCAC 10F .0339	13:23 NCR 1928									
15A NCAC 10F .0342	13:07 NCR 585	13:15 NCR 1231	13:11 NCR 905	L	Approve	02/18/99	*			
15A NCAC 10F .0345		12:19 NCR 1781								
15A NCAC 10F .0347		12:19 NCR 1781								
15A NCAC 10F .0359	12:19 NCR 1763									
15A NCAC 10F .0367	13:14 NCR 1113	13:19 NCR 1666	13:19 NCR 1666	L						
15A NCAC 10G .0404	12:06 NCR 445		12:12 NCR 1004	*	Extend Review Object Approve	04/15/98 06/18/98 07/23/98	*		13:09 NCR 779	
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Voting Rights Act										13:10 NCR 1714
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21 NCAC 20 .0101		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0103		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0104		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0105		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0106		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0117		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0120		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0122		13:19 NCR 1695	13:23 NCR 1942	*						
21 NCAC 20 .0123		13:19 NCR 1695	13:23 NCR 1942	*						
GENERAL CONTRACTORS LICENSING BOARD										
21 NCAC 12 .0202	13:22 NCR 1821									
21 NCAC 12 .0204		13:06 NCR 568	13:13 NCR 1048	*						
21 NCAC 12 .0204	13:22 NCR 1821									
21 NCAC 12 .0205	13:22 NCR 1821									
21 NCAC 12 .0307	13:22 NCR 1821									
21 NCAC 12 .0402	13:22 NCR 1821									
21 NCAC 12 .0405	13:22 NCR 1821									
21 NCAC 12 .0410	13:22 NCR 1821									
21 NCAC 12 .0503	11:28 NCR 2117									
21 NCAC 12 .0504	11:28 NCR 2117									
21 NCAC 12 .0504	13:13 NCR 1040									
21 NCAC 12 .0901	13:22 NCR 1821			*						
21 NCAC 12 .0902	11:28 NCR 2117									
21 NCAC 12 .0905	11:28 NCR 2117									
21 NCAC 12 .0906	11:28 NCR 2117									
21 NCAC 12 .0907	11:28 NCR 2117									
21 NCAC 12 .0907	13:22 NCR 1821									
21 NCAC 12 .0908	11:28 NCR 2117									

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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

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 Number 137 - Eff 08/11/98 13:06 NCR 535
 Number 138 - Eff 08/25/98 13:07 NCR 581
 Number 139 - Eff 08/26/98 13:07 NCR 581
 Number 140 - Eff 09/29/98 13:09 NCR 753
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 Number 149 - Eff 04/19/99 13:22 NCR 1812
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HEALTH AND HUMAN SERVICES

Aging

10 NCAC 22 10:23 NCR 2956

Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G .0823 13:17 NCR 1378
 10 NCAC 19G .0827 13:17 NCR 1378
 13:21 NCR 1785
 13:21 NCR 1785

Child Day Care Commission

10 NCAC 03U .0102 12:21 NCR 1873 13:06 NCR 539
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10 NCAC 03U .0305	12.21 NCR 1873		13.06 NCR 539	*	Object	11/19/98				
10 NCAC 03U .0602	11.24 NCR 1817	12.08 NCR 710			Approve	12/17/98	*		13.17 NCR 1381	
10 NCAC 03U .0604	11.24 NCR 1817	12.08 NCR 710								
10 NCAC 03U .0605	11.24 NCR 1817	12.08 NCR 710								
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 .1601	12.21 NCR 1873		13.06 NCR 539	*	Object	11/19/98				
10 NCAC 03U .1602	12.21 NCR 1873		13.06 NCR 539	*	Approve	12/17/98	*		13.17 NCR 1381	
10 NCAC 03U .1606	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .1612	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .1701	12.21 NCR 1873		13.06 NCR 539	*	Approve	11/19/98			13.16 NCR 1265	
10 NCAC 03U .2000	12.21 NCR 1873				Approve	11/19/98				
10 NCAC 03U .2500	12.21 NCR 1873									
10 NCAC 03U .2801	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2802	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2803	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2804	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2805	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*			
10 NCAC 03U .2806	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.17 NCR 1381	
10 NCAC 03U .2807	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*			
10 NCAC 03U .2808	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.17 NCR 1381	
10 NCAC 03U .2809	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2810	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2811	12.21 NCR 1873		13.06 NCR 539	S	Approve	11/19/98	*		13.16 NCR 1265	
10 NCAC 03U .2812	12.21 NCR 1873		13.06 NCR 539	S	Object	11/19/98	*			
10 NCAC 03U .2812	12.21 NCR 1873		13.06 NCR 539	S	Approve	12/17/98	*		13.17 NCR 1381	
Controller, Office of										
10 NCAC 01B .0418	13.14 NCR 1109		13.22 NCR 1823	*						

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10 NCAC 01B .0419	13.14 NCR 1109		13.22 NCR 1823	*						
10 NCAC 01B .0420	13.14 NCR 1109		13.22 NCR 1823	*						
Facility Services										
Certificate of Public Advantage (COPA)										
Public Notice - Draft 1999 State Medical Facilities Plan										
Abbreviated Notice of Temporary Rule-Making										
10 NCAC 03R .0214	12.08 NCR 617		13.03 NCR 270	*	Approve	10/22/98			13.14 NCR 1167	13.03 NCR 261 13.02 NCR 171 13.06 NCR 536
10 NCAC 03R .1613		13.14 NCR 1119								
10 NCAC 03R .1615		13.14 NCR 1119								
10 NCAC 03R .1713		13.14 NCR 1119								
10 NCAC 03R .1714		13.14 NCR 1119								
10 NCAC 03R .1715		13.14 NCR 1119								
10 NCAC 03R .1912		13.14 NCR 1119								
10 NCAC 03R .1913		13.14 NCR 1119								
10 NCAC 03R .1914		13.14 NCR 1119								
10 NCAC 03R .2113		13.14 NCR 1119								
10 NCAC 03R .2713		13.14 NCR 1119								
10 NCAC 03R .2715		13.14 NCR 1119								
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 .3030	10.23 NCR 2956		11.06 NCR 328	S/L/SE						
10 NCAC 03R .3032	10.23 NCR 2956		11.06 NCR 328	S/L/SE						
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		12.15 NCR 1431	13.02 NCR 178	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 03R .3053		11.22 NCR 1713								
10 NCAC 03R .3053		12.06 NCR 481								
10 NCAC 03R .3060		12.06 NCR 481								

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10 NCAC 03R 3061		12-06 NCR 481								
10 NCAC 03R 3063		12-06 NCR 481								
10 NCAC 03R 3065		12-06 NCR 481								
10 NCAC 03R 3072		12-06 NCR 481								
10 NCAC 03R 4203		13-14 NCR 1119								
10 NCAC 03R 6001	11-22 NCR 1704									
10 NCAC 03R 6101		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98	*		13-14 NCR 1167	
10 NCAC 03R 6102		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98	*		13-14 NCR 1167	
10 NCAC 03R 6103		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6104		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6105		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6106		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6107		12-15 NCR 1431	13-02 NCR 178	S/L/SE	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6108		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6109		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6110		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6111		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6112		12-15 NCR 1431	13-02 NCR 178	S/L/SE	Object Object Returned to Agency	10/22/98 12/17/98				
10 NCAC 03R 6113		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6114		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6115		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6116		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6117		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6118		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6119		12-15 NCR 1431	13-02 NCR 178	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6120		12-15 NCR 1431	13-02 NCR 178	S/L/SE	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 03R 6121		12-15 NCR 1431	13-02 NCR 178	S/L/SE	Approve	10/22/98			13-14 NCR 1167	

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10 NCAC 03R .6122		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R .6123		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6124		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R .6125		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6126		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6127		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6128		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6129		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6130		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6131		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R .6132		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6133		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6134		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6135		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6136		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6137		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6138		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6139		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6140		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6141		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6201		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6202		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6203		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6204		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6205		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6206		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6207		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6208		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R .6209		13:14 NCR 1119	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	

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10 NCAC 03R .6210		13:14 NCR 1119								
10 NCAC 03R .6211		13:14 NCR 1119								
10 NCAC 03R .6212		13:14 NCR 1119								
10 NCAC 03R .6213		13:14 NCR 1119								
10 NCAC 03R .6214		13:14 NCR 1119								
10 NCAC 03R .6215		13:14 NCR 1119								
10 NCAC 03R .6216		13:14 NCR 1119								
10 NCAC 03R .6217		13:14 NCR 1119								
10 NCAC 03R .6218		13:14 NCR 1119								
10 NCAC 03R .6219		13:14 NCR 1119								
10 NCAC 03R .6220		13:14 NCR 1119								
10 NCAC 03R .6221		13:14 NCR 1119								
10 NCAC 03R .6222		13:14 NCR 1119								
10 NCAC 03R .6223		13:14 NCR 1119								
10 NCAC 03R .6224		13:14 NCR 1119								
10 NCAC 03R .6225		13:14 NCR 1119								
10 NCAC 03R .6226		13:14 NCR 1119								
10 NCAC 03R .6227		13:14 NCR 1119								
10 NCAC 03R .6228		13:14 NCR 1119								
10 NCAC 03R .6229		13:14 NCR 1119								
10 NCAC 03R .6230		13:14 NCR 1119								
10 NCAC 03R .6231		13:14 NCR 1119								
10 NCAC 03R .6232		13:14 NCR 1119								
10 NCAC 03R .6233		13:14 NCR 1119								
10 NCAC 03R .6234		13:14 NCR 1119								
10 NCAC 03R .6235		13:14 NCR 1119								
10 NCAC 03R .6236		13:14 NCR 1119								
10 NCAC 03R .6237		13:14 NCR 1119								
10 NCAC 03R .6238		13:14 NCR 1119								

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10 NCAC 03R .6239		13:14 NCR 1119								
10 NCAC 03R .6240		13:14 NCR 1119								
10 NCAC 03R .6241		13:14 NCR 1119								
10 NCAC 03S	12:24 NCR 2194									
Health Services										
15A NCAC 16A .0101	12:22 NCR 1979		13:02 NCR 234	*	Object	10/22/98			13:16 NCR 1265	
15A NCAC 16A .0106	12:22 NCR 1979		13:02 NCR 234	*	Approve	11/19/98	*		13:14 NCR 1167	
15A NCAC 16A .0108	12:22 NCR 1979		13:02 NCR 234	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 16A .1103	13:14 NCR 1114				Approve	10/22/98				
15A NCAC 16A .1104	13:14 NCR 1114									
15A NCAC 16A .1106	13:14 NCR 1114									
15A NCAC 19A .0401	13:11 NCR 855									
15A NCAC 19A .0401	13:22 NCR 1818									
15A NCAC 19A .0404	13:11 NCR 855									
15A NCAC 19A .0404	13:22 NCR 1818									
15A NCAC 19A .0406	13:11 NCR 855									
15A NCAC 19A .0406	13:22 NCR 1818									
15A NCAC 19A .0502	13:11 NCR 855	13:13 NCR 1059								
15A NCAC 19A .0502	13:22 NCR 1818									
15A NCAC 19C .0206		12:15 NCR 1451	13:05 NCR 496	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 21H .0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev.	01/21/99				
15A NCAC 21H .0111	12:20 NCR 1822		13:07 NCR 591	S	Agcy Withdrew	02/02/99	*		13:22 NCR 1868	
15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	S	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 23 .0201	13:22 NCR 1820		13:07 NCR 591	*	Approve	01/21/99				
15A NCAC 23 .0202		13:18 NCR 1555								
15A NCAC 23 .0202	13:22 NCR 1820									
15A NCAC 23 .0204	13:22 NCR 1820									
15A NCAC 23 .0501	13:22 NCR 1820									

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15A NCAC 24A .0101	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0102	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0302	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0402	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0403	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 24A .0404	12-22 NCR 1979		13-02 NCR 244	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 26C	13-22 NCR 1820									
Medical Assistance										
Medicaid Disproportionate Share										
10 NCAC 26B .0103	12-18 NCR 1694		13-01 NCR 5	*	Approve	10/22/98	*		13-14 NCR 1167	13-22 NCR 1815
10 NCAC 26D .0110	12-06 NCR 444		12-21 NCR 1875	*						
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	Approve	07/23/98			13-09 NCR 779	
10 NCAC 26H .0211	12-09 NCR 743	12-14 NCR 1341	12-18 NCR 1696	S/L/SE	Approve	07/23/98			13-09 NCR 779	
10 NCAC 26H .0212		12-09 NCR 827 Temp Expired 7/31/98 12-13 NCR 733								
10 NCAC 26H .0213		11-26 NCR 1997								
10 NCAC 26H .0213		12-09 NCR 827								
10 NCAC 26H .0304		13-08 NCR 733								
		13-03 NCR 316	13-08 NCR 668	S/L	Object	12/17/98			13-22 NCR 1868	
10 NCAC 26H .0401	12-08 NCR 618	12-14 NCR 1341	12-21 NCR 1875	S/L	Approve	01/21/99	*		13-09 NCR 779	
10 NCAC 26H .0401		13-02 NCR 248	13-12 NCR 947	*	Approve	02/18/99	*			
10 NCAC 26I .0101	13-02 NCR 175		13-07 NCR 588	*						
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		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0202	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period

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10 NCAC 26M .0203	12-05 NCR 337									13-05 NCR 435
10 NCAC 26M .0203	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Extend Com Period 13-05 NCR 435
10 NCAC 26M .0204	12-06 NCR 444		13-01 NCR 5	*						Extend Com Period 13-05 NCR 435
10 NCAC 26M .0305	13-02 NCR 175		13-07 NCR 588	*	Approve	12/17/98	*		13-17 NCR 1381	
10 NCAC 50A .0604	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0102		13-18 NCR 1526								
10 NCAC 50B .0202	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0302	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99				
10 NCAC 50B .0311	13-03 NCR 268									
10 NCAC 50B .0313	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99	*			
10 NCAC 50B .0313		13-18 NCR 1526								
Medical Care Commission										
10 NCAC 03D .1500	11-23 NCR 1779									
10 NCAC 03H .2210	N/A		N/A	N/A	Approve	09/17/98			13-11 NCR 912	
Mental Health, Developmental Disabilities and Substance Abuse Services										
10 NCAC 14G .0102		12-12 NCR 1060	12-19 NCR 1766	*	Object	06/18/98	*		13-09 NCR 779	
10 NCAC 14V .0802	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*	Approve	07/23/98				
10 NCAC 14V .0803	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*						
10 NCAC 14V .0804	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*						
10 NCAC 14V .0805	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*						
10 NCAC 14V .3800	12-20 NCR 1820									
10 NCAC 14V .4000	12-20 NCR 1820									
10 NCAC 14V .4301	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*		13-22 NCR 1868	
10 NCAC 14V .4302	12-19 NCR 1762		13-07 NCR 586	*	Object	01/21/99	*			
10 NCAC 14V .4303	12-19 NCR 1762		13-07 NCR 586	*	Approve	02/18/99				
10 NCAC 14V .4304	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*		13-22 NCR 1868	
10 NCAC 14V .4305	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*		13-22 NCR 1868	

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10 NCAC 14V .4306	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99			13-22 NCR 1868	
10 NCAC 14V .5000	12-20 NCR 1820									
10 NCAC 45G .0410	13-23 NCR 1947	13-23 NCR 1947								
10 NCAC 45H .0201	N/A	N/A	N/A	N/A	Approve	08/20/98			13-10 NCR 817	
10 NCAC 45H .0205	11-19 NCR 1762	12-24 NCR 2223	13-05 NCR 487	*						
Secretary of Health and Human Services										
10 NCAC 14C .1151	12-20 NCR 1820		13-02 NCR 198	*	Approve	12/17/98	*		13-17 NCR 1381	
10 NCAC 14V .7006		12-01 NCR 31	12-07 NCR 511	*						
10 NCAC 14V .7201	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V .7202	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V .7203	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V .7204	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V .7205	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 21B .0117		12-17 NCR 1616	12-21 NCR 1875	S	Approve	07/23/98			13-09 NCR 779	
10 NCAC 49B .0315		12-18 NCR 1703	13-02 NCR 203	*	Approve	10/22/98	*		13-14 NCR 1167	
Social Services Commission										
10 NCAC 24A .0508	12-12 NCR 993	12-13 NCR 1180	12-23 NCR 2090	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 29C .0103		13-06 NCR 566	13-19 NCR 1611	*						
10 NCAC 30 .0207	12-11 NCR 919	12-14 NCR 1347	12-15 NCR 1420	*	Approve	05/21/98			13-02 NCR 249	
10 NCAC 41A .0107		12-11 NCR 938	12-15 NCR 1420	*	Object Approve	07/23/98	*		13-09 NCR 779	
10 NCAC 41E .0401	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0403	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0404	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0405	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0406	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0501	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41E .0502	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0503	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41E .0504	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0506	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0507	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0508	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0510	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0512	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0514	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0515	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0516	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0517	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0518	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0602	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41E .0604	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41E .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						

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10 NCAC 41E .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						
10 NCAC 41E .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						
10 NCAC 41E .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						
10 NCAC 41E .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						
10 NCAC 41E .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*						
10 NCAC 41F .0707		12:11 NCR 938	13:11 NCR 857	*	Approve	02/18/99				
			12:15 NCR 1420	S	Approve	05/21/98			13:02 NCR 249	
10 NCAC 41F .0813		12:11 NCR 938	12:15 NCR 1420	S	Approve	05/21/98			13:02 NCR 249	
10 NCAC 41G .0501	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0502	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0504	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0505	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0506	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0507	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0508	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0509	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0510	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0511	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0512	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0513	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0601	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0602	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .0603	12:11 NCR 919		13:05 NCR 438	*						

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10 NCAC 41G .0604	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0605	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0606	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0701	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0702	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0703	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0704	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0705	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0706	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0707	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0708	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0801	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0802	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0803	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0804	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0805	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0806	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0807	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0808	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0809	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
			13.05 NCR 438	*						
10 NCAC 41G .0902	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41G .1001	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1002	12.11 NCR 919		13.11 NCR 857	*						
10 NCAC 41G .1004	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1005	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1006	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1007	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1008	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1009	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1010	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1011	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1012	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1013	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1101	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1102	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1103	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1104	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1105	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1106	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1201	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1202	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1203	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99				
10 NCAC 41G .1204	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99				
10 NCAC 41G .1204	12.11 NCR 919		13.05 NCR 438	*						

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10 NCAC 41G .1205	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1206	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1207	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1208	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1301	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1302	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1303	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1304	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1305	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1306	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1307	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1308	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1309	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41G .1402	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41I .0100	10-17 NCR 2228		10-21 NCR 2687	*						
10 NCAC 41I .0102	10-17 NCR 2228		13-05 NCR 438	*						
10 NCAC 41R .0101	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41R .0102	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41R .0103	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41R .0104	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41R .0105	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
10 NCAC 41R .0106	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
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10 NCAC 41R .0107	12-11 NCR 919		13-11 NCR 857	*	Approve	02/18/99				
			13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0101	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Object	02/18/99	*			
					Approve	02/18/99				
10 NCAC 41S .0102	12-11 NCR 919		13-05 NCR 438	*	Approve	02/18/99				
			13-11 NCR 857	*						
10 NCAC 41S .0201	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0202	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0203	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0204	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0301	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0302	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0303	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0304	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0305	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0306	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0307	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0401	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0402	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0403	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0404	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0405	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0406	12-11 NCR 919		13-05 NCR 438	*						
			13-11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0407	12-11 NCR 919		13-05 NCR 438	*						
				*	Approve	02/18/99				

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10 NCAC 41S .0501	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0502	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0503	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0504	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S .0505	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0506	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0602	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0604	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0606	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0607	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0608	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0609	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0610	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0611	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0612	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S .0613	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0614	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
10 NCAC 41S .0615	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41S .0701	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0702	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0703	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0704	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
			13:05 NCR 438	*	Object	02/18/99	*			
			13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0705	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0706	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0707	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0708	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41S .0709	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0710	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0711	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41S .0712	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41S .0713	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T .0101	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41T .0102	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T .0103	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41T .0104	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T .0105	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41T .0106	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T .0201	12 11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*			
10 NCAC 41T .0202	12 11 NCR 919		13:05 NCR 438	*	Approve	02/18/99	*			
			13:11 NCR 857	*	Approve	02/18/99				

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10 NCAC 41T .0203	12.11 NCR 919		13:05 NCR 438	*						
10 NCAC 41T .0204	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 41T .0205	12.11 NCR 919		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 41T .0206	12.11 NCR 919		13:11 NCR 857	*	Approve	02/18/99				
10 NCAC 42C .2301	12.22 NCR 1979		13:05 NCR 438	*	Approve	02/18/99				
10 NCAC 42C .3401		12:13 NCR 1180	13:11 NCR 857	*	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 42C .3403		12:13 NCR 1180	13:05 NCR 438	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 42C .3404		12:13 NCR 1180	13:02 NCR 200	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 42C .3601		12:13 NCR 1180	13:02 NCR 200	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 42E	13:07 NCR 585									
10 NCAC 42R .0201	12.11 NCR 919	12:13 NCR 1180	12:23 NCR 2090	S/L	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 42S	13:07 NCR 585									
10 NCAC 42Z	13:07 NCR 585									
10 NCAC 47A .0502		12:11 NCR 938	12:15 NCR 1420	*	Approve	05/21/98			13:02 NCR 249	
10 NCAC 47B .0102		12:11 NCR 938	12:15 NCR 1420	*	Object	05/21/98				
10 NCAC 47B .0303		12:11 NCR 938	12:15 NCR 1420	*	Approve	06/18/98	*		13:03 NCR 334	
10 NCAC 47B .0304		12:11 NCR 938	12:15 NCR 1420	*	Approve	05/21/98			13:02 NCR 249	
10 NCAC 47B .0305		12:11 NCR 938	12:15 NCR 1420	*	Approve	05/21/98	*		13:02 NCR 249	
10 NCAC 47B .0403		12:11 NCR 938	12:15 NCR 1420	*	Approve	05/21/98	*		13:02 NCR 249	
10 NCAC 49B .0608	12:20 NCR 1822	13:03 NCR 320	13:06 NCR 549	*	Approve	11/19/98	*		13:16 NCR 1265	
Vocational Rehabilitation Services										
10 NCAC 20B .0224		13:17 NCR 1379								
10 NCAC 20B .0228		13:17 NCR 1379								
10 NCAC 20C .0125	12:24 NCR 2202		13:06 NCR 547	S	Approve	11/19/98	*			
10 NCAC 20C .0206	12:24 NCR 2202		13:06 NCR 547	S	Object	11/19/98	*		13:17 NCR 1381	
HOUSING FINANCE AGENCY										
24 NCAC 01H .0103	13:22 NCR 1822									

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11 NCAC 06	12-09 NCR 744									
11 NCAC 12	12-09 NCR 744									
11 NCAC 12 .0840	13-01 NCR 2	13-03 NCR 323	13-08 NCR 673	*	Approve	12/17/98			13:17 NCR 1381	
11 NCAC 12 .0841	13-01 NCR 2	13-03 NCR 323	13-08 NCR 673	*	Approve	12/17/98	*		13:17 NCR 1381	
11 NCAC 12 .0842	13-01 NCR 2	13-03 NCR 323	13-08 NCR 673	*	Approve	12/17/98	*		13:17 NCR 1381	
11 NCAC 12 .1003	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13:16 NCR 1265	
11 NCAC 12 .1025	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13:16 NCR 1265	
11 NCAC 12 .1026	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98			13:16 NCR 1265	
11 NCAC 12 .1212	13-01 NCR 2		13-05 NCR 489	*	Approve	11/19/98	*		13:16 NCR 1265	
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 20	12-09 NCR 744									
11 NCAC 21	12-09 NCR 744									
North Carolina Manufactured Housing Board										
11 NCAC 08 .0912	13-01 NCR 2		13-05 NCR 488	*	Object Approve	11/19/98 12/17/98	*		13 17 NCR 1381	
JUSTICE										
Alarm Systems Licensing Board										
12 NCAC 11	11-30 NCR 2300									
12 NCAC 11 .0204	12-12 NCR 993									
12 NCAC 11 .0210	12-08 NCR 618		12-20 NCR 1823	*	Approve	11/19/98	*		13:16 NCR 1265	
12 NCAC 11 .0501	11-30 NCR 2300		12-20 NCR 1823	*	Object Agcy withdrew	09/17/98 10/22/98			13:16 NCR 1265	
12 NCAC 11 .0502	11-30 NCR 2300		12-20 NCR 1823	*	Object Approve	09/17/98 10/22/98	*		13:14 NCR 1167 13:11 NCR 912	
12 NCAC 11 .0503	11-30 NCR 2300		12-20 NCR 1823	*	Approve	09/17/98				
12 NCAC 11 .0504	11-30 NCR 2300		12-20 NCR 1823	*	Object	09/17/98				

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12 NCAC 11 .0505	11.30 NCR 2300		12.20 NCR 1823	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 11 .0506	11.30 NCR 2300		12.20 NCR 1823	*	Object	09/17/98	*		13.14 NCR 1167	
12 NCAC 11 .0507	11.30 NCR 2300		12.20 NCR 1823	*	Approve	10/22/98			13.11 NCR 912	
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0101	N/A		N/A	N/A	Approve	09/17/98			13.11 NCR 912	
12 NCAC 09A .0103	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0101	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0107	13.14 NCR 1110		13.19 NCR 1611	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0109	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0110	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0112	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0113	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0115	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0201	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0202	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0203	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0204	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0205	13.14 NCR 1110		13.19 NCR 1611	S/L						
12 NCAC 09B .0205	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0206	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0207	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0208	13.14 NCR 1110		13.19 NCR 1611	*						
12 NCAC 09B .0209	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0210	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0210	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0211	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	
12 NCAC 09B .0211	N/A		N/A	N/A	Approve	10/22/98			13.14 NCR 1167	
12 NCAC 09B .0212	12.21 NCR 1873		13.01 NCR 6	*	Approve	10/22/98	*		13.14 NCR 1167	

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12 NCAC 09B .0212	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0213	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0213	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0214	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0214	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0215	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0218	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0219	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0220	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0221	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0222	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0226	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0226	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0227	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0227	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0228	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B .0232	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0232	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B .0233	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0233	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B .0301	12:21 NCR 1873		13:01 NCR 6	*	Object Object Approve	10/22/98 11/19/98 12/17/98	*		13:17 NCR 1381	
12 NCAC 09B .0302	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0303	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0304	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0305	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0309	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0310	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0311	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	

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12 NCAC 09B .0312	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0403	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0404	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0404	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0405	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0406	13-14 NCR 1110		13-19 NCR 1611	S						
12 NCAC 09B .0407	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0408	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0409	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0414	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0414	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09B .0415	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09B .0416	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09B .0603					Object	10/22/98				
12 NCAC 09B .0603	N/A		N/A	N/A	Approve	11/19/98			13-16 NCR 1265	
12 NCAC 09C .0211	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09C .0212	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09C .0213	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09C .0308	12-21 NCR 1873		13-01 NCR 6	*	Approve	10/22/98	*		13-14 NCR 1167	
12 NCAC 09C .0403	13-14 NCR 1110		13-19 NCR 1611	*						
12 NCAC 09C .0601	N/A		N/A	N/A						
12 NCAC 09E .0105	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09E .0106	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09E .0107	13-14 NCR 1110		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
12 NCAC 09F .0107	N/A		N/A	N/A	Approve	10/22/98			13-14 NCR 1167	
Private Protective Services Board										
12 NCAC 07D .0204	11-14 NCR 1108		12-08 NCR 622	*	Object Approve	03/20/98 06/18/98	*		13-03 NCR 334	
12 NCAC 07D .0800	13-14 NCR 1110									

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12 NCAC 07D .1106	11:14 NCR 1108		12:08 NCR 622	*	Object	03/20/98				
12 NCAC 07D .1201	11:10 NCR 818		12:14 NCR 1263	*	Approve	06/18/98	*		13-03 NCR 334	
12 NCAC 07D .1202	11:10 NCR 818		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1301	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1302	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11:16 NCR 1268		12:14 NCR 1263	*	Object	11/19/98				
Sheriffs' Education and Training Standards Commission										
12 NCAC 10B .0103	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .0206	12:07 NCR 508	12:18 NCR 1703	12:18 NCR 1703	*	Approve	06/18/98			13-03 NCR 334	
12 NCAC 10B .0502	13:14 NCR 1110		13:19 NCR 1637	L						
12 NCAC 10B .0505	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0506	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0507	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0508	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0509	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .0601	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .0606	13:14 NCR 1110									
12 NCAC 10B .0607	13:14 NCR 1110									
12 NCAC 10B .0703	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .0908	13:14 NCR 1110		13:19 NCR 1637	S/L						
12 NCAC 10B .1002	13:14 NCR 1110		13:19 NCR 1637	*						
12 NCAC 10B .1103	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1104	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B .1401	13:14 NCR 1110		13:19 NCR 1637	S						

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12 NCAC 10B .1402	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1403	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1404	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1405	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B .1406	13:14 NCR 1110		13:19 NCR 1637	S						
LABOR										
Boiler and Pressure Vessel Division										
13 NCAC 13 .0406	13:03 NCR 269		13:08 NCR 685	*						13:23 NCR 1898
13 NCAC 13 .0409	13:03 NCR 269		13:08 NCR 685	*						13:19 NCR 1604
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13 NCAC 07A .0900	11:11 NCR 881									
OSH - Notice of Permanent Variance Filing										
*Verbatim Adoption Federal Standards										
*13 NCAC 07F .0101										
*13 NCAC 07F .0201										
*13 NCAC 07F .0501										
*13 NCAC 07F .0502										
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F .0201	11:03 NCR 106									
13 NCAC 07F .0301	11:03 NCR 106									
13 NCAC 07F .0601	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F .0602	13:02 NCR 176		13:21 NCR 1786	S/L						
13 NCAC 07F .0603	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F .0604	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F .0605	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F .0606	13:02 NCR 176		13:21 NCR 1786	S/L						
Retaliatory Employment Discrimination										
13 NCAC 19 .0101	13:03 NCR 268		13:08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19 .0102	13:03 NCR 268		13:08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	

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13 NCAC 19.0201	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0301	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0302	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0401	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 19.0402	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 19.0501	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 19.0502	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0601	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13 17 NCR 1381	
13 NCAC 19.0602	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0603	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0604	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0605	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 19.0701	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 19.0702	13-03 NCR 268		13-08 NCR 686	*	Approve	12/17/98			13 17 NCR 1381	
Wage and Hour Division										
13 NCAC 12.0101	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0104	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0303	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 12.0304	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0305	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 12.0306	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0307	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0308	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0309	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0310	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13:17 NCR 1381	
13 NCAC 12.0501	13-03 NCR 268			*						
13 NCAC 12.0502	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0602	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	
13 NCAC 12.0603	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13:17 NCR 1381	

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13 NCAC 12 .0604	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0605	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0701	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0702	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98	*		13-17 NCR 1381	
13 NCAC 12 .0801	13-03 NCR 268									
13 NCAC 12 .0802	13-03 NCR 268									
13 NCAC 12 .0803	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0804	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0805	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0806	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	
13 NCAC 12 .0807	13-03 NCR 268		13-08 NCR 676	*	Approve	12/17/98			13-17 NCR 1381	

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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

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21 NCAC 32	13-06 NCR 538
21 NCAC 32B	11-18 NCR 1369
21 NCAC 32B	12-04 NCR 245
21 NCAC 32F .0103	11-18 NCR 1386
21 NCAC 32F .0103	Temp Expired
21 NCAC 32H .0402	12-14 NCR 1354
21 NCAC 32M .0101	12-04 NCR 314
21 NCAC 32M .0102	12-19 NCR 1765
21 NCAC 32M .0102	12-19 NCR 1765

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21 NCAC 32M .0103	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M .0104	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M .0105	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M .0106	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0107	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0108	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M .0109	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0110	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0111	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0112	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M .0115	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0101	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0102	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0103	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0104	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0105	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0106	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0107	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0109	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0110	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0111	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0112	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0113	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0114	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0115	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0116	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0117	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0118	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O .0119	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	

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21 NCAC 320 .0120	11-18 NCR 1369		13-08 NCR 709	*						
21 NCAC 320 .0121	11-18 NCR 1369		13-08 NCR 709	*						
21 NCAC 32R .0101	12-19 NCR 1765		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32R .0102	12-19 NCR 1765		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32R .0103	12-19 NCR 1765		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32R .0104	12-19 NCR 1765		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0101	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0102	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0103	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0104	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0105	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0106	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0107	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0108	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0109	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0110	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0111	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0112	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0113	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0114	11-18 NCR 1369		13-08 NCR 709	*	Agcy withdrew	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0115	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0116	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	
21 NCAC 32S .0117	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 32S .0118	11-18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13-17 NCR 1381	

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21 NCAC 34C 12-09 NCR 745

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Town of Rimertown - Cabarrus County

13-14 NCR 1101

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Town of Mineral Springs - Union County

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21 NCAC 36 .0213 13:22 NCR 1821

21 NCAC 36 .0227 12:05 NCR 338

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21 NCAC 40 .0108

12:07 NCR 557

PHARMACY, BOARD OF

21 NCAC 46 .1317 13:01 NCR 3

21 NCAC 46 .1317 13:22 NCR 1821

21 NCAC 46 .1413 13:22 NCR 1821

21 NCAC 46 .1414 12:24 NCR 2203

21 NCAC 46 .1414 13:22 NCR 1821

21 NCAC 46 .1601 12:24 NCR 2203

21 NCAC 46 .1601 13:22 NCR 1821

21 NCAC 46 .1606 13:01 NCR 3

21 NCAC 46 .1608 12:24 NCR 2203

21 NCAC 46 .1609 12:24 NCR 2203

21 NCAC 46 .1612 12:24 NCR 2203

21 NCAC 46 .1703 12:24 NCR 2203

21 NCAC 46 .1706 12:24 NCR 2203

21 NCAC 46 .1804 12:03 NCR 168

21 NCAC 46 .1809 12:24 NCR 2203

21 NCAC 46 .1810 13:22 NCR 1821

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21 NCAC 46 .1813	13.22 NCR 1821									
21 NCAC 46 .1814	13.01 NCR 3		13.06 NCR 559	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 46 .1814	13.22 NCR 1821	13.11 NCR 910	13.22 NCR 1848	*						
21 NCAC 46 .1815			12.07 NCR 527	*						
21 NCAC 46 .2103	12.03 NCR 168		12.09 NCR 797	*						
			12.07 NCR 527	*						
21 NCAC 46 .2301	12.03 NCR 168		12.09 NCR 797	*						
			13.04 NCR 419	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 46 .2304	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2306	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98	*		13.17 NCR 1381	
21 NCAC 46 .2502	12.24 NCR 2203		13.04 NCR 419	*	Approve	12/17/98				
21 NCAC 46 .2506	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98			13.16 NCR 1265	
21 NCAC 46 .2604	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98	*		13.17 NCR 1381	
21 NCAC 46 .2609	12.24 NCR 2203		13.04 NCR 419	*	Object	11/19/98	*		13.17 NCR 1381	
21 NCAC 46 .2611	12.24 NCR 2203		13.04 NCR 419	*	Approve	12/17/98	*		13.17 NCR 1381	13.14 NCR 1100 13.21 NCR 1769
Narrow Therapeutic Index Drugs										
Narrow Therapeutic Index Drugs										
PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF										
21 NCAC 50 .0106	12.07 NCR 509									
21 NCAC 50 .0202	12.07 NCR 509									
21 NCAC 50 .0506	12.07 NCR 509	12.07 NCR 557								
21 NCAC 50 .1201	12.07 NCR 509									
21 NCAC 50 .1205	12.07 NCR 509									
21 NCAC 50 .1206	12.07 NCR 509									
21 NCAC 50 .1210	12.07 NCR 509									
21 NCAC 50 .1212	12.07 NCR 509									
21 NCAC 50 .1302	12.07 NCR 509									13.14 NCR 1100
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21 NCAC 54 .1611	12-05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54 .1612	12-05 NCR 338									
21 NCAC 54 .1613	12-05 NCR 338									
21 NCAC 54 .1901	13-21 NCR 1784									
21 NCAC 54 .2006	12-05 NCR 338									
21 NCAC 54 .2010	12-05 NCR 338									
21 NCAC 54 .2104	12-05 NCR 338		13-13 NCR 1050	*						
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									
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									

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21 NCAC 54 .2601	12-05 NCR 338									
21 NCAC 54 .2602	12-05 NCR 338									
21 NCAC 54 .2704	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2705	12-05 NCR 338									
21 NCAC 54 .2706	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2801	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2802	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2803	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2804	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2805	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2806	12-05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2807	12-05 NCR 338		13:13 NCR 1050	*						
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Public Hearing - Date Change (See 13:18 NCR 1503)										
16 NCAC 06B .0108		13:13 NCR 1061	13:18 NCR 1503	*						13:19 NCR 1605
16 NCAC 06C .0102			13:18 NCR 1503	*						
16 NCAC 06C .0103			13:18 NCR 1503	*						
16 NCAC 06C .0202			13:18 NCR 1503	*						
16 NCAC 06C .0205			13:18 NCR 1503	*						
16 NCAC 06C .0206			13:18 NCR 1503	*						
16 NCAC 06C .0207			13:18 NCR 1503	*						
16 NCAC 06C .0301			13:18 NCR 1503	*						
16 NCAC 06C .0302			13:18 NCR 1503	*						
16 NCAC 06C .0303			13:18 NCR 1503	*						
16 NCAC 06C .0304			13:18 NCR 1503	*						
16 NCAC 06C .0305			13:18 NCR 1503	*						
16 NCAC 06C .0306			13:18 NCR 1503	*						
16 NCAC 06C .0307			13:18 NCR 1503	*						
16 NCAC 06C .0308			13:18 NCR 1503	*						

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16 NCAC 06C .0309			13:18 NCR 1503	*						
16 NCAC 06C .0310		12:03 NCR 210	12:01 NCR 18	*						
16 NCAC 06C .0311			13:18 NCR 1503	*						
16 NCAC 06C .0312			13:18 NCR 1503	*						
16 NCAC 06C .0313			13:18 NCR 1503	*						
16 NCAC 06C .0501			13:18 NCR 1503	*						
16 NCAC 06C .0502		12:09 NCR 834	12:19 NCR 1773	N/A	Approve	08/20/98			13:10 NCR 817	
16 NCAC 06D .0103		12:22 NCR 2010								
16 NCAC 06D .0103			13:18 NCR 1503	*						
16 NCAC 06D .0210			13:18 NCR 1503	*						
16 NCAC 06D .0301			13:18 NCR 1503	*						
16 NCAC 06D .0302			13:18 NCR 1503	*						
16 NCAC 06D .0303			13:18 NCR 1503	*						
16 NCAC 06D .0305			13:18 NCR 1503	*						
16 NCAC 06E .0105		12:05 NCR 433	12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06E .0202			13:18 NCR 1503	*						
16 NCAC 06E .0301		13:05 NCR 523								
16 NCAC 06E .0301			13:18 NCR 1503	*						
16 NCAC 06G .0202			13:18 NCR 1503	*						
16 NCAC 06G .0305			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0308			13:18 NCR 1503	*						
16 NCAC 06G .0309			13:18 NCR 1503	*						
16 NCAC 06G .0310			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0311		12:22 NCR 2010								
16 NCAC 06G .0311			13:18 NCR 1503	*						
16 NCAC 06G .0501		12:12 NCR 1071	12:19 NCR 1773	N/A	Approve	08/20/98			13:10 NCR 817	
16 NCAC 06G .0502			13:18 NCR 1503	*						
16 NCAC 06H .0101			13:18 NCR 1503	*						

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16 NCAC 06H .0103			13-18 NCR 1503	*						
16 NCAC 06H .0105			13-18 NCR 1503	*						
16 NCAC 06H .0106			13-18 NCR 1503	*						
16 NCAC 06H .0107			13-18 NCR 1503	*						
16 NCAC 06H .0108			13-18 NCR 1503	*						
16 NCAC 06H .0109			13-18 NCR 1503	*						
16 NCAC 06H .0110			13-18 NCR 1503	*						
REAL ESTATE COMMISSION										
21 NCAC 58A .0101	N/A	N/A	N/A	N/A	Approve	08/20/98			13-10 NCR 817	
REVENUE										
17 NCAC 01C .0601	N/A		13-10 NCR 808	N/A	Approve	12/17/98	*		13-17 NCR 1381	
17 NCAC 03B .0102	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0103	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0104	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0106	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0108	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0109	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0110	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0111	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0112	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0113	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0114	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0102	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0104	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0105	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0106	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0107	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0301	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0302	N/A		13-08 NCR 690	N/A	Approve	12/17/98			13-17 NCR 1381	

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17 NCAC 04B .0306	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		13-08 NCR 690	N/A						
17 NCAC 04D .0204			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0303			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0305			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0401			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0402			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0501			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0505			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0506			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0508			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0610			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0901			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0902			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0903			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0907			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .0908			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .1001			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04D .1003			13-05 NCR 496	S/SE	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04E .0102	N/A		13-08 NCR 690	N/A					13-17 NCR 1381	

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17 NCAC 04E .0103	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13-08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13-08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13-08 NCR 690	N/A						
17 NCAC 05B .0107	N/A		13-09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B .1105	N/A		13-09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B .1304	N/A	N/A	N/A	N/A	Approve	09/17/98			13:11 NCR 912	
17 NCAC 05C .0102			12-14 NCR 1285	*						
17 NCAC 05C .0703			12-14 NCR 1285	*						
17 NCAC 05C .0703	N/A		13-09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C .2004	N/A		13-09 NCR 760	N/A	Approve	12/17/98	*		13:17 NCR 1381	
17 NCAC 05C .2101	N/A		13-09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C .2102	N/A		13-09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0104	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0105	N/A		13-08 NCR 694	N/A						
17 NCAC 06B .0110	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0118	N/A		13-09 NCR 762	N/A	Object Object Approve Approve	12/17/98 03/18/99 04/15/99 12/17/98				
17 NCAC 06B .0606	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3203	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3204			12-17 NCR 1610	*	Approve	06/18/98			13:03 NCR 334	
17 NCAC 06B .3206	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3207	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3719	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3901	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .3904	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	

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17 NCAC 06B .4004	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06C .0124	N/A		13-09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .0104	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .0124	N/A		13-08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13-08 NCR 695	N/A						
17 NCAC 07B .0206	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1301	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1303	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1602	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1704	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1801	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .1905	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2101	N/A		13-09 NCR 767	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2201	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2212	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .2802	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3201	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3301	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3302	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .3702	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5401	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5402	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5403	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5404	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5405	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5406	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5408	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5409	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5410	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	

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17 NCAC 07B .5411	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5412	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5414	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5415	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5416	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5417	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5418	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5419	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5420	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5421	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5422	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5423	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5424	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5428	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5429	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5430	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5431	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5432	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5433	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5434	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5435	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5438	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5440	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5442	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5443	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5444	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5447	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5448	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5449	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	

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17 NCAC 07B .5450	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5451	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5452	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5453	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5454	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5455	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5456	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5457	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5458	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5459	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5460	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5461	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5463	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 091 .0301	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						
17 NCAC 09L .0302			12:17 NCR 1610	*	Approve	06/18/98			13:03 NCR 334	13:03 NCR 262 13:14 NCR 1102 13:21 NCR 1772
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18 NCAC 06 .1212		13:14 NCR 1151								
18 NCAC 06 .1304		13:14 NCR 1151								
18 NCAC 06 .1502		13:14 NCR 1151								
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 10 .0101	13:09 NCR 759	13:14 NCR 1153								
18 NCAC 10 .0201	13:09 NCR 759	13:18 NCR 1556								
18 NCAC 10 .0301	13:09 NCR 759	13:14 NCR 1153								

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18 NCAC 10.0302 13:09 NCR 759
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18 NCAC 10.0303 13:09 NCR 759
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18 NCAC 10.0304 13:09 NCR 759
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18 NCAC 10.0305 13:09 NCR 759
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25 NCAC 01B.0354 13:05 NCR 436
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25 NCAC 01B.0414
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25 NCAC 01B.0434
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25 NCAC 01H.0605 13:05 NCR 436
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25 NCAC 01H.0606 13:05 NCR 436
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25 NCAC 01J.0512 13:05 NCR 436
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21 NCAC 68 .0305	12-09 NCR 745	12-11 NCR 944	12-15 NCR 1426	S/L	Object Approve	04/15/98 05/21/98	*		13-02 NCR 249	
TRANSPORTATION										
Highways, Division of										
19A NCAC 02D .0406	12-22 NCR 1980		13-05 NCR 501	*	Approve	11/19/98			13-16 NCR 1265	
19A NCAC 02D .0415	12-18 NCR 1694		12-24 NCR 2219	*	Approve	09/17/98			13-11 NCR 912	
19A NCAC 02D .0415	13-08 NCR 626		13-14 NCR 1116	*	Approve	04/15/99				
19A NCAC 02D .0816	12-19 NCR 1764		13-01 NCR 41	*	Object Approve	09/17/98 10/22/98	*		13-11 NCR 912 13-14 NCR 1167	
19A NCAC 02E .0221	13-04 NCR 361		13-10 NCR 811	*	Approve	03/18/99	*			
19A NCAC 02E .0222	13-04 NCR 361		13-10 NCR 811	*	Approve	03/18/99				
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19A NCAC 031 .0100	11-19 NCR 1413									
19A NCAC 031 .0200	11-19 NCR 1413									
19A NCAC 031 .0202	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 031 .0203	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 031 .0207	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0300	11-19 NCR 1413									
19A NCAC 031 .0301	13-16 NCR 1258									
19A NCAC 031 .0302	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0307	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0400	11-19 NCR 1413									
19A NCAC 031 .0401	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0402	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0500	11-19 NCR 1413									
19A NCAC 031 .0501	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
19A NCAC 031 .0501	13-16 NCR 1258		13-22 NCR 1843	*						
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19A NCAC 031 .0503	12-18 NCR 1695		12-24 NCR 2220	*	Approve	08/20/98	*		13-10 NCR 817	
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(Updated through May 26, 1999)

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 .0601	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0700	11-19 NCR 1413									
19A NCAC 031 .0701	13-16 NCR 1258		13-22 NCR 1843	*						
19A NCAC 031 .0800	11-19 NCR 1413									
19A NCAC 031 .0804	13-16 NCR 1258		13-22 NCR 1843	*						
Rail Division										
19A NCAC 06B .0401	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0404	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98	*		13-17 NCR 1381	
19A NCAC 06B .0405	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0409	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
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19A NCAC 06B .0412	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
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19A NCAC 06B .0414	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0417	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	
19A NCAC 06B .0418	12-22 NCR 1981		13-06 NCR 557	*	Approve	12/17/98			13-17 NCR 1381	

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