

Agenda Item: 16-01 Request for Approval to Proceed to Public Comment on S.L. 2013-413 (H74) Periodic Review of Existing Rules Report for 15A NCAC 02A.

Explanation: Staff requests the Environmental Management Commission's approval to proceed to public comment with the review of the EMC's organizational rules in 15A NCAC 02A. The periodic review of existing review follows the procedure mandated by S.L. 2013-413 (HB74) incorporated into the Administrative Procedures Act. This review covers the five existing rules in the Administrative Code.

An initial determination of "unnecessary" is proposed for two rules. An initial determination of "necessary without substantive public interest" is proposed for three rules. If approved to proceed by the EMC in January, staff will conduct a public comment period on the report with these initial determinations and return to the Steering Committee in July and then to the EMC in September with a final recommendation for the EMC's action.

Recommendation: Staff recommends that the EMC approve 15A NCAC 02A report of initial determinations to proceed to the 60 day public comment period required by S.L. 2013-413.