



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice **with** a scheduled hearing
 Notice without a scheduled hearing
 Replication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: Environmental Management Commission

2. Link to agency website pursuant to G.S. 150B-19.1(c): <http://portal.ncdenr.org/web/wm/proposed-rules>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

- ADOPTION:**
- READOPTION with substantive changes:**
- READOPTION without substantive changes:**
- AMENDMENT:** 15A NCAC 13A .0101 - .0103 and 15A NCAC 13A .0106 -.0108
- REPEAL:**

4. Proposed effective date: July 1, 2016

5. Is a public hearing planned? Yes No

If yes: Public Hearing date: January 11, 2016

Public Hearing time: 1:00 PM

Public Hearing Location: ENR Building located at 217 W. Jones Street, Raleigh, NC 27603 in Room 1210 -Training Room

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s): The proposed changes to 15A NCAC 13A .0101, 15A NCAC 13A .0102, 15A NCAC 13A .0103, 15A NCAC 13A .0106, 15A NCAC 13A .0107 and 15A NCAC 13A .0108 would make the State Hazardous Waste Program equivalent to, consistent with, and no less stringent than the federal RCRA program, by incorporating federal changes that are being mandated.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Ann Preston

Address: 1646 Mail Service Center
Raleigh, NC 27699-1646

Phone (optional): 919 707-8226

Fax (optional): 919 707-8226

E-Mail (optional): DENR.DWM_Rules@ncdenr.gov

10. Comment Period Ends: February 15, 2016

11. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- State funds affected** 15A NCAC 13A .0102, .0103 and .0106
- Environmental permitting of DOT affected**
Analysis submitted to Board of Transportation
- Local funds affected**
- Substantial economic impact (≥\$1,000,000)**
- Approved by OSBM** 15A NCAC 13A .0102, .0103 and .0106
- No fiscal note required by G.S. 150B-21.4** 15A NCAC 13A .0101, .0107 and .0108
- No fiscal note required by G.S. 150B-21.3A(d)(2)**

12. Rule-making Coordinator: Jennifer Everett

Address: 1601 Mail Service Center
Raleigh, NC 27699-1601 (919)-707-8614

Phone: (919)-707-8614

E-Mail: jennifer.everett@ncdenr.gov

Agency contact, if any: Julie Woosley

Phone: 919 707-8203

E-mail: julie.woosley@ncdenr.gov

13. The Agency formally proposed the text of this rule(s) on

Date: November 5, 2105

14. Signature of Agency Head* or Rule-making Coordinator:

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Jennifer Everett

Title: DEQ Rulemaking Coordinator