

Periodic Review and Expiration of Existing Rules

STEP 1

[G.S. 150B-21.3A(c)(1)]

Agency Reviews Existing Rules "Step 1(a)"

- Agency's rulemaking coordinator receives the report (an Excel spreadsheet) from RRC Staff by email.
- Rulemaking coordinator has 10 business days to respond regarding any errors or missing rules. (See 26 NCAC 05 .0203)

Agency Reviews Existing Rules "Step 1(b)"

- First agency meeting to make determination classifying each rule in the report for public comment.
- Classifications are: (1) unnecessary and (2) necessary.

Agency Accepts Public Comments for 60 Days "Step 1(c)"

Agency Posts Report on
Agency's Website "Step 1(c)"

See 26 NCAC 05 .0206

Agency Provides Report to
OAH to be Posted on OAH's
Website "Step 1(c)"

See 26 NCAC 05 .0206

Agency Must Notify Interested
Persons "Step 1(c)"

See 26 NCAC 05 .0207

Agency Reviews and Responds to Public Comments "Step 1(d)"

- Second agency meeting to review comments received. Responses should be provided by the agency to comments that are objecting to a Rule.
- Agency to make determination classifying each rule in the report after consideration of the public comments.
- Classifications are: (1) unnecessary or (2) necessary.

Agency Submits Report, Written Comments, and Classifications to RRC "Step 1(e)"

- 26 NCAC 05 .0211 contains a link to the RRC review date. Agency must file the complete Report with the RRC on or before the 20th of the month prior to the month and year set forth in the schedule. (See 26 NCAC 05 .0203)

No review by agency
Rule expires

STEP 2

[G.S. 150B-21.3A(c)(2)]

RRC reviews report
and written comments

RRC submits report
to APO

STEP 3

[G.S. 150B-21.3A(c)(3)]

APO consultation

APO does not meet
within 60 days

Committee recommends
new review

?

Agency initiates
readoption of rule
through the
permanent
rulemaking process

Unnecessary rule
expires

RRC
determination
effective

PERMANENT RULEMAKING PROCESS

