



**PERIODIC REVIEW AND EXPIRATION OF  
EXISTING RULES REPORT FOR  
PUBLICATION ON THE OAH WEBSITE**  
[G.S. 150B-21.3A(c)(1)]

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<b>1. Rule-Making Agency:</b> N.C. Department of Commerce	
<b>2. Citation to NCAC Title &amp; Chapter/Subchapter:</b> Title 04, Chapter 01	
<b>3. Comments should be directed to:</b>  <b>Name:</b> A. John Hoomani  <b>Address:</b> N.C. Department of Commerce Division of Employment Security - Legal Division P.O. Box 25903 Raleigh, N.C. 27611  <b>E-Mail (optional):</b> john.hoomani@nccommerce.com	
<b>4. Agency website link:</b> <a href="http://www.nccommerce.com/about-our-department/current-administrative-rules/periodic-review-of-existing-administrative-rules">http://www.nccommerce.com/about-our-department/current-administrative-rules/periodic-review-of-existing-administrative-rules</a>	
<b>5. Comment Period Begins:</b> April 1, 2016	<b>Comment Period Ends:</b> June 1, 2016
<b>6. Scheduled month and year for RRC review:</b> July 2016	
<b>7. Rule-making Coordinator:</b> A. John Hoomani  <b>Address:</b> N.C. Department of Commerce Division of Employment Security - Legal Division P.O. Box 25903 Raleigh, N.C. 27611  <b>Phone:</b> (919) 707-1048  <b>E-Mail:</b> john.hoomani@nccommerce.com	
<b>8. The Agency made initial determination on:</b> <b>Date:</b> January 21, 2016	
<b><u>Please Note - Notice Required by Rule 26 NCAC 05 .0207 on the agency website:</u></b> The agency must post instructions on how a person may comment on the determinations and to whom the comment must be directed. In addition, the agency's posting is required to include notice that states the language below, or similar language: "Public comment" is defined by G.S. 150B-21.3A(a)(5) as a written objection to all or part of a rule. Additionally, pursuant to G.S. 150B-21.3A(c)(2), in order for the Rules Review Commission to determine whether the public comment has merit, the public comment must address the specific substance of the rule and address any of the standards of Commission review, as set forth in G.S. 150B-21.9(a).	

G.S. 150B-21.3A Report for 04 NCAC Chapter 1, Departmental Rules

Agency - Department of Commerce

Comment Period - February 1, 2016 to March 31, 2016

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
SUBCHAPTER 1A - ORGANIZATION	SECTION .0100 - GENERAL IDENTIFICATION AND PURPOSES	04 NCAC 01A .0101	NAME AND ADDRESS	Eff. February 1, 1976	Unnecessary	No		Select One	Select One
SUBCHAPTER 1B - RULE-MAKING HEARINGS: EMERGENCY RULES AND DECLARATORY RULINGS	SECTION .0100 - RULE-MAKING HEARINGS AND EMERGENCY RULES	04 NCAC 01B .0101	PETITIONS	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Select One
		04 NCAC 01B .0102	DISPOSITION OF PETITIONS	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Select One
		04 NCAC 01B .0103	NOTICE	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Select One
		04 NCAC 01B .0104	HEARINGS: LOCATION OF	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0105	REQUEST TO PARTICIPATE	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0106	WRITTEN SUBMISSIONS	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0107	PRESIDING OFFICER: POWERS AND DUTIES	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0108	STATEMENT OF REASONS FOR DECISION	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
	SECTION .0200 - DECLARATORY RULINGS	04 NCAC 01B .0201	REQUEST FOR A DECLARATORY RULING	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0202	DISPOSITION OF REQUESTS	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0203	RECORD OF DECISION	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01B .0204	DEFINITION	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
SUBCHAPTER 1C - PERSONNEL RULES	SECTION .0100 - AFFIRMATIVE ACTION PROGRAM	04 NCAC 01C .0101	POLICY STATEMENT	Eff. February 1, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
	SECTION .0200 - GRIEVANCE PROCEDURES	04 NCAC 01C .0201	GENERAL POLICIES	Eff. February 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0202	DISCUSSION WITH IMMEDIATE SUPERVISOR	Eff. February 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0203	CONSIDERATION BY AGENCY HEAD	Eff. February 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0204	AGENCY GRIEVANCE COMMITTEE	Eff. February 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0205	DEPARTMENTAL GRIEVANCE COMMITTEE	Amended Eff. July 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0206	APPEAL TO STATE PERSONNEL COMMISSION	Amended Eff. July 1, 1976	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01C .0207	DIRECT APPEAL TO STATE PERSONNEL COMMISSION	Eff. February 1, 1976	Unnecessary	No		Select One	Unnecessary

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SUBCHAPTER 1E - INDUSTRIAL AND POLLUTION CONTROL REVENUE BONDS	SECTION .0100 - PURPOSE AND DEFINITIONS	04 NCAC 01E .0101	PURPOSE OF SUBCHAPTER	Amended Eff. June 7, 1977	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0104	OPERATOR	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0106	DEPARTMENT	Amended Eff. June 7, 1977	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0107	SECRETARY	Amended Eff. June 7, 1977	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0108	AUTHORITY	Eff. August 2, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
	SECTION .0200 - APPLICATION PROCEDURES	04 NCAC 01E .0201	GENERALLY	Eff. August 2, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0202	PRE-APPLICATION CONFEREN	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0203	APPROVAL IN PRINCIPLE	Amended Eff. March 1, 1983	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0204	PUBLIC HEARING	Amended Eff. March 1, 1983	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0205	FORMAL APPLICATION PROCEDURES; REQUIRED DATA; INFORMATION	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0206	FORMAL APPLICATION PROCEDURES; PUBLIC HEARING	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0207	PROJECT CERTIFICATION FROM DENR; OR ITS SUCCESSOR AGENCY	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0208	FORMAL APPLICATION PROCEDURES; APPROVAL	Amended Eff. March 1, 1983	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0209	FORMAL APPLICATION PROCEDURES; DENIAL	Amended Eff. June 7, 1977	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0210	REIMBURSEMENT OF EXTRAORDINARY EXPENSE	Eff. June 7, 1977	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
	SECTION .0300 - REVIEW CRITERIA	04 NCAC 01E .0301	GENERAL	Eff. August 2, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0302	JURISDICTIONAL FINDINGS	Amended Eff. March 1, 1985	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0306	JOBS SAVED OR GENERATED TEST	Amended Eff. April 1, 1999	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0307	CAPABILITY TEST	Amended Eff. November 21, 1978	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
		04 NCAC 01E .0308	ABANDONMENT TEST	Eff. August 2, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest	
04 NCAC 01E .0309		THE SECRETARY'S FINDINGS	Eff. August 2, 1976	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest		
SUBCHAPTER 1F - GUARANTY AGAINST LOSS RESERVES AND LOANS FOR BASIC INDUSTRIAL BUILDINGS		SECTION .0100 - PURPOSE AND DEFINITIONS	04 NCAC 01F .0101	PURPOSE OF SUBCHAPTER	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary
			04 NCAC 01F .0102	GOALS AND POLICIES	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary
		SECTION .0200 - DEFINITIONS	04 NCAC 01F .0201	BASIC INDUSTRIAL BUILDINGS	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary
	04 NCAC 01F .0202		DEVELOPER ENTITY	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0203		INDUSTRIAL BUILDER	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0204		OBLIGOR	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0205		CONSTRUCTION LOAN LENDER	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0206		CONSTRUCTION LOAN	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0207		ALLOWABLE JOB COSTS	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0208		GUARANTY AGAINST LOSS RESERVE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0209		INTEREST RATES	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
	04 NCAC 01F .0301		GENERALLY	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
	SECTION .0300 - APPLICATION PROCEDURES		04 NCAC 01F .0302	NEED DETERMINATION: BASIC BUILDINGS	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary
04 NCAC 01F .0303		PREAPPLICATION CONFERENCE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary		

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		04 NCAC 01F .0304	PUBLIC NOTICE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0305	FORMAL APPLICATION PROCEDURES: REQUIRED DATA: INFORMATION	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0306	STAFF APPROVAL AND REVIEW	Amended Eff. March 25, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0307	FORMAL APPLICATION PROCEDURES: DESIGNATION	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0308	FORMAL APPLICATION PROCEDURES: DENIAL	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0309	TERMINATION OF AGREEMENT	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
	SECTION .0400 - REVIEW CRITERIA AND STANDARDS	04 NCAC 01F .0401	GENERAL	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0402	JURISDICTION DETERMINATIONS	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0403	EXPERIENCED INDUSTRIAL BUILDER	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0404	INVOLVEMENT OF COMMUNITY LEADERSHIP	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0405	THE INDUSTRIAL SITE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0406	BUILDING SPECIFICATIONS AND MATERIALS	Amended Eff. March 1, 1983	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0407	WATER SERVICE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0408	SEWER SERVICE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0409	RAIL SERVICE	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0410	NATURAL GAS	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0411	LABOR AVAILABILITY	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01F .0412	PROFESSIONAL INDUSTRIAL DEVELOPER	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary	
SUBCHAPTER 1G - LOW-INCOME HOUSING TAX CREDIT PROGRAM		SECTION .0100 - GENERAL DESCRIPTION	04 NCAC 01F .0413	FINANCING PROGRAMS	Eff. February 11, 1980	Unnecessary	No		Select One	Unnecessary
	04 NCAC 01G .0101		BACKGROUND	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01G .0102	OBJECTIVES	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01G .0103	DEFINITIONS	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
	SECTION .0200 - REQUIREMENTS	04 NCAC 01G .0201	ELIGIBLE PROJECTS	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01G .0202	APPLICATION PROCEDURE	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01G .0203	FEES	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
	SECTION .0300 - SELECTION PROCESS	04 NCAC 01G .0301	REVIEW OF APPLICATIONS	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
		04 NCAC 01G .0302	APPROVAL OR REJECTION OF APPLICATION	Eff. November 1, 1987	Unnecessary	No		Select One	Unnecessary	
SUBCHAPTER 1H - PRIVATE ACTIVITY BOND VOLUME CAPACITY PROGRAM	SECTION .0100 - GENERAL DESCRIPTION	04 NCAC 01H .0101	BACKGROUND	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest	
		04 NCAC 01H .0102	OBJECTIVES	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest	
		04 NCAC 01H .0103	DEFINITIONS	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest	
				Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest	
		SECTION .0200 - APPLICATIONS AND PROCEDURES	04 NCAC 01H .0201	GENERAL	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
			04 NCAC 01H .0202	INFORMATION AND APPLICATIONS	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
			04 NCAC 01H .0203	FORMAL PROCEDURES: APPROVAL	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
			04 NCAC 01H .0204	FORMAL PROCEDURES: DENIAL	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest

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	SECTION .0300 - REVIEW CRITERIA	04 NCAC 01H .0301	GENERAL	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
		04 NCAC 01H .0302	ESTABLISHMENT OF AVAILABILITY CAPACITY	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
		04 NCAC 01H .0303	CONSIDERATIONS OF THE CAPACITY RESOURCE USAGE AND DEMAND	Eff. December 1, 1987	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 146	Select One	Necessary without substantive public interest
	SECTION .0500 - QUALIFIED ENERGY CONSERVATION BONDS	04 NCAC 01H .0501	PROCEDURES AND CRITERIA FOR ALLOCATION OF QUALIFIED ENERGY CONSERVATION BONDS	Eff. July 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	26 U.S.C. § 54D	Select One	Necessary without substantive public interest
SUBCHAPTER 01I - INDUSTRIAL DEVELOPMENT FUND	SECTION .0100 - PURPOSE AND DEFINITIONS	04 NCAC 01I .0101	BACKGROUND AND OBJECTIVES	Amended Eff. July 1, 2012	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0102	DEFINITIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0201	DATE OF RECEIPT OF APPLICATIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0202	APPLICATION CATEGORIES AND REQUIREMENTS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 1I .0301	REVIEW OF APPLICATIONS AND FUNDING	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0302	ELIGIBILITY REQUIREMENTS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0402	REQUIRED FINDINGS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0403	FORMAL APPLICATIONS PROCEDURES: DENIAL	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0404	FORMAL APPLICATION PROCEDURES: APPROVAL	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0501	GENERAL	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0502	LIMITATIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
		04 NCAC 01I .0503	REVERSION OF FUNDS	Amended Eff. August 1, 2000	Necessary without substantive public interest	No		Select One	Necessary without substantive public interest
			04 NCAC 01I .0801	COMPLIANCE WITH NORTH CAROLINA ENVIRONMENTAL RULES	Eff. August 1, 2000	Necessary without substantive public interest	No		Select One
SUBCHAPTER 1K - ECONOMIC DEVELOPMENT ACTIVITY OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM	SECTION .0100 - GENERAL PROVISIONS	04 NCAC 01K .0101	PROGRAM PURPOSE AND OBJECTIVE	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0102	DEFINITIONS	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0103	ELIGIBLE APPLICANTS	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0104	FUNDING LIMITATIONS	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0105	PROJECTS NOT TO BE CONSIDERED FOR FUNDING	Amended Eff. July 1, 2012	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		SECTION .0200 - APPLICATION PROCEDURE	04 NCAC 01K .0201	GENERAL	Eff. December 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One
		04 NCAC 01K .0203	APPLICATIONS	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0205	FORMAL APPLICATION PROCEDURES: APPROVAL	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0206	FORMAL APPLICATION PROCEDURES: DENIAL	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest

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	SECTION .0300 - FINDINGS REQUIRED FOR APPROVAL	04 NCAC 01K .0301	GENERAL	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0302	CRITERIA FOR MAKING NECESSARY FINDINGS	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
	SECTION .0400 - GRANT ADMINISTRATION	04 NCAC 01K .0401	GRANT AGREEMENT AND FUNDING APPROVAL	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0402	METHOD OF PAYMENT	Amended Eff. August 1, 2000	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0403	METHOD OF ADMINISTRATION	Eff. December 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0404	MONITORING AND GRANT CLOSE OUT	Amended Eff. April 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
		04 NCAC 01K .0405	ADMINISTRATIVE HEARINGS	Eff. December 1, 1992	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	24 CFR Part 570	Select One	Necessary without substantive public interest
SUBCHAPTER 1L - GRANTS TO SUCCESSFUL SBA DISASTER HOME LOAN APPLICANTS		04 NCAC 01L .0101	SCOPE	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01L .0102	ELIGIBILITY	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01L .0103	BENEFITS	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01L .0104	PROCEDURES FOR HOMEOWNERS	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary

G.S. 150B-21.3A Report for 04 NCAC Chapter 1, Departmental Rules

Agency - Department of Commerce

Comment Period - February 1, 2016 to March 31, 2016

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		04 NCAC 01L .0105	PROCEDURES FOR COUNTIES	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01L .0106	APPEAL	The Department of Commerce and the Department of Crime Control & Public Safety consider this rule to be extended and currently in effect pursuant to Session Law 1999-463 Extra Session House Bill 2, Session Law 2005-1, Executive Order 8 dated July 6, 2001 and Executive Order 75 dated June 10, 2005.	Unnecessary	No		Select One	Unnecessary
SUBCHAPTER 01N - THE HURRICANE RECOVERY ACT OF 2005 BUSINESS RECOVERY PROGRAMS	SECTION .0100 - GENERAL INFORMATION	04 NCAC 01N .0101	SCOPE	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0102	ELIGIBILITY	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0103	BENEFITS UNDER THE INTEREST REBATE PROGRAM	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0104	BENEFITS UNDER THE BUSINESS RECOVERY LOAN PROGRAM	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0105	PROCEDURES FOR INTEREST REBATE FOR SBA BORROWERS	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0106	PROCEDURES FOR THE BUSINESS RECOVERY LOAN PROGRAM	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary
		04 NCAC 01N .0107	APPEAL	Eff. January 1, 2006	Unnecessary	No		Select One	Unnecessary