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CHECK APPROPRIATE BOX:

- Proposed Temporary Rule [G.S. 150B-21.1(a3)]
 Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]
 Permanent Rule with substantial change [G.S. 150B-21.12(c)] *skip block 4*
 Revenue [G.S. 105-262.1] *skip block 4*

1. Rule-Making Agency: Department of Environment and Natural Resources

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

ADOPTION:

X AMENDMENT: 15A NCAC 28 .0302 FEE SCHEDULE

REPEAL:

3. Public Hearing:

Date: 12/19/2013

Time: 10:00 am

Location: Aquarium Division Office, 3125 Poplarwood Court, Raleigh, NC 27604

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
 The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
- X A recent change in federal or state budgetary policy.
Cite: Appropriations Act of 2013; Session Law 2013-360
<http://www.ncleg.net/Sessions/2013/Bills/Senate/PDF/S402v7.pdf>
Effective date of change: 7/26/2013
- A recent federal regulation.
Cite: Patient Protection and Affordable Care Act; Public Law 111-148, SEC. 4980H(c)(4)(A), *et seq.*
<http://www.gpo.gov/fdsys/pkg/PLAW-111publ148/pdf/PLAW-111publ148.pdf>
Effective date: Signed into law March 21, 2010, relevant provisions take effect January 1, 2014
- A recent court order.
Cite order:
- State Medical Facilities Plan.
 Other:

Explain: See attachment

5. Comments from the public shall be directed to: Name: David R. Griffin Address: North Carolina Aquariums 3125 Poplarwood Court Raleigh, NC 27604 Phone (optional): Fax (optional): E-Mail (optional):	
6. Comment Period Starts: 12/13/2013	Comment Period Ends: 1/9/2014
7. Rule-making Coordinator: David R. Griffin Address: 3125 Poplarwood Court, Raleigh, NC 27604 Phone: 919-877-5500 E-Mail: david.griffin@ncaquariums.com Agency contact, if any: Jennifer Everett Phone: 919-707-8614 E-mail: jennifer.everett@ncdenr.gov	8. Signature of Agency* Head or Rule-making Coordinator: <hr/> *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: Rulemaking Coordinator