



CHAPTER 150B
ARTICLE 2A - RULES

N.C.G.S. § 150B-19.3.

Limitation on certain environmental rules.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 06:15 UTC	SOURCE FINGERPRINT 5c20b55ae62efac8303c5b80 - 9f64458be765d1934b961246 - 75db6a97ec8d672c
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§ 150B-19.3(a) An agency authorized to implement and enforce State and federal environmental laws may not adopt a rule for the protection of the environment or natural resources that imposes a more restrictive standard, limitation, or requirement than those imposed by federal law or rule, if a federal law or rule pertaining to the same subject matter has been adopted, unless adoption of the rule is required by one of the subdivisions of this subsection. A rule required by one of the following subdivisions of this subsection shall be subject to the provisions of G.S. 150B-21.3(b1) as if the rule received written objections from 10 or more persons under G.S. 150B-21.3(b2):

- (1) A serious and unforeseen threat to the public health, safety, or welfare.
- (2) An act of the General Assembly or United States Congress that expressly requires the agency to adopt rules.
- (3) A change in federal or State budgetary policy.
- (4) A federal regulation required by an act of the United States Congress to be adopted or administered by the State.
- (5) A court order.

§ 150B-19.3(b) For purposes of this section, "an agency authorized to implement and enforce State and federal environmental laws" means any of the following:

- (1) The Department of Environmental Quality created pursuant to G.S. 143B-279.1.
- (2) The Environmental Management Commission created pursuant to G.S. 143B-282.

- (3) The Coastal Resources Commission established pursuant to G.S. 113A-104.
- (4) The Marine Fisheries Commission created pursuant to G.S. 143B-289.51.
- (5) The Wildlife Resources Commission created pursuant to G.S. 143-240.
- (6) The Commission for Public Health created pursuant to G.S. 130A-29.
- (7) The Sedimentation Control Commission created pursuant to G.S. 143B-298.
- (8) The North Carolina Oil and Gas Commission created pursuant to G.S. 143B-293.1.
- (9) The Pesticide Board created pursuant to G.S. 143-436. (2011-398, s. 2; 2012-143, s. 1(d); 2014-4, s. 4(c); 2014-120, s. 57; 2015-241, s. 14.30(u).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
11 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 150B-21.3(b1)	(a)	"be subject to the provisions of"
G.S. 150B-21.3(b2)	(a)	"from 10 or more persons under"
G.S. 143B-279.1	(b)(1)	"of Environmental Quality created pursuant to"
G.S. 143B-282	(b)(2)	"Environmental Management Commission created pursuant to"
G.S. 113A-104	(b)(3)	"Coastal Resources Commission established pursuant to"
G.S. 143B-289.51	(b)(4)	"Marine Fisheries Commission created pursuant to"
G.S. 143-240	(b)(5)	"Wildlife Resources Commission created pursuant to"
G.S. 130A-29	(b)(6)	"for Public Health created pursuant to"
G.S. 143B-298	(b)(7)	"Sedimentation Control Commission created pursuant to"
G.S. 143B-293.1	(b)(8)	"and Gas Commission created pursuant to"
G.S. 143-436	(b)(9)	"The Pesticide Board created pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 150B-19.3 (2026).

PINPOINT

N.C. Gen. Stat. § 150B-19.3(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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