

**26 NCAC 02C .0111 WAIVER**

OAH may waive any rule in this Subchapter that is not statutorily required if an agency submits a written request. Factors OAH shall use in determining whether to grant the waiver are:

- (1) degree of disruption to OAH publication and work schedule;
- (2) cost to OAH;
- (3) degree of benefit to the public;
- (4) whether the agency had control over the circumstances that required the requested waiver;
- (5) notice to and opposition by the public;
- (6) need for the waiver; and
- (7) previous requests for waivers submitted from the agency.

*History Note: Authority G.S. 150B-19(6); 150B-21.19;  
Eff. April 1, 1997;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016.*