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;