

**15A NCAC 01E .0104 PERMIT APPLICATION REQUIREMENTS**

(a) An application for a permit shall be in writing and shall be transmitted to the Secretary at the following address:  
Secretary's Office

North Carolina Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

(b) An application shall be made by and in the names of all persons who will be owners or operators of a proposed oil refining facility or who are owners or operators of an existing facility.

(c) To apply for an oil refining facility permit, a person or persons shall submit to the Secretary an application which shall contain:

- (1) a cover sheet shall not exceed one page and shall include:
  - (A) the title, APPLICATION FOR PERMIT TO CONSTRUCT OR OPERATE AN OIL REFINING FACILITY;
  - (B) a short statement of the activity for which the permit is sought and the name and location of the oil refining facility involved;
  - (C) the complete name, address, and telephone number of each applicant;
  - (D) the date of the application;
  - (E) the name, address, and telephone number of the employee or agent of the applicant who can supply further information; and
  - (F) an abstract of the assessment of the effects which the construction or operation of the oil refining facility will have on the environment;
- (2) a table of contents;
- (3) a description of the proposed or existing oil refining facility, including a description of the following aspects of the facility's operation:
  - (A) kind of refining process;
  - (B) refining capacity;
  - (C) kind, character, and volume of raw materials, and the source(s) of their supply;
  - (D) kind, character, and volume of products;
  - (E) kind, character, and volume of by-products;
  - (F) kind, character, and volume of effluent discharges to waters or lands of the State;
  - (G) kind, character, and volume of emissions to air;
  - (H) number of persons in the facility's permanent work force; and
  - (I) cost of construction of the facility;
- (4) if construction is involved, a description of the construction process and the applicant's estimate of the timetable for that process;
- (5) an electronic copy or two sets of paper copies of the most current reports, drawings, maps, plans, and specifications describing the location, construction, and operation of the oil refining facility;
- (6) a description of the transfer of oil to and from the oil refining facility, including a statement of the amount and kind of vessel traffic which the facility's operation does or will generate;
- (7) an electronic copy or two sets of paper copies of the most current reports, drawings, maps, plans, specifications, and other information describing the transfer of oil, including vessel characteristics and ownership, vessel navigation to and from the facility, oil loading equipment, and pipelines, in such detail as the Secretary deems necessary to decide to issue or deny the permit;
- (8) upon request of the Secretary, a listing of the environmental or health impacts which interested or affected persons or their representatives have indicated are of concern to them. To prepare such a listing, the applicant shall:
  - (A) inform about the facility those persons whom the facility will or may interest or affect, including those living within one mile of any part of the facility; and
  - (B) ascertain the nature of their concerns about the effects of the facility and their suggestions for meeting those concerns. The applicant may coordinate efforts in this regard with similar efforts required by other statutes or regulations, federal or state, so as to reduce duplication of effort;
- (9) a list of all federal, state, and local permits or approvals related to protection of the environment or environmental resources that the applicant shall obtain for construction or operation of the oil refining facility, the date on which each application was submitted, a copy of each filed application, and a copy of each permit or approval showing that it has been issued;

- (10) an analysis of the effects that construction or operation of the facility, including the transfer of oil to and from the facility, will or may have on the environment;
- (11) the applicant's proposals for avoiding or minimizing the adverse effects of the construction and operation of the oil refining facility and the transfer of oil to and from the facility on the environment. The applicant's proposals shall include:
  - (A) a description of the procedures, methods, means, and equipment, including those relating to vessel navigation and design, which the applicant will use to prevent any discharges to the waters or lands of the State;
  - (B) a description of the procedures, methods, means, and equipment by which the applicant will detect and report discharges;
  - (C) a description of the procedures, methods, means, and equipment which the applicant will use in the containment, removal, and cleaning up of discharges and in the restoration of any lands or waters affected by a discharge; and
  - (D) a description and copies of any spill prevention and emergency response plans required under federal, State, or local laws and regulations;
- (12) a list of the names of the persons who were primarily responsible for preparing the application or any part thereof, together with their qualifications, including their expertise, experience, professional disciplines, and licenses. The persons who were responsible for a particular analysis shall be identified;
- (13) a statement and explanation by the applicant whether the proposed construction or operation of the oil refining facility is subject to Article 1 of G.S. Chapter 113A, the North Carolina Environmental Policy Act.

(d) The Secretary shall determine the adequacy and completeness of the submitted application based on compliance with the requirements in Paragraph (c) and Paragraph (e) of this Rule.

(e) The applicant shall supply such other information as the Secretary deems necessary to impose appropriate terms and conditions in the permit and to determine appropriate protective measures to prevent oil discharges to the lands and waters of the State according to the schedule provided by the Secretary.

*History Note: Authority G.S. 143-215.101;  
Eff. June 16, 1980;  
Amended Eff. March 1, 1990; August 1, 1988; October 1, 1984;  
Readopted Eff. April 1, 2023.*