

15A NCAC 13B .0565 APPLICATION REQUIREMENTS FOR LCIDLFS

(a) A permit applicant for a proposed land clearing and inert debris landfill (site) permit shall submit to the Division one electronic copy of a permit application, which shall contain the following information:

- (1) a copy of the deed for the site property, including the property owner's name, the parcel identification number, and a legal description of the property;
- (2) an approval letter from the unit of local government having zoning authority over the area where the site is to be located stating that the site meets the requirements of the local zoning ordinance, or that the site is not zoned;
- (3) a county road map showing the location of the site;
- (4) letters from both the State Historic Preservation Office and the Natural Heritage Program within the Department of Natural and Cultural Resources stating whether the proposed use of the property will impact the historic sites described in Rule .0564(a)(2) of this Section; State nature and historic preserves described in Rule .0564(a)(3) of this Section; or the endangered or threatened species described in Rule .0564(a)(4) of this Section located at the site;
- (5) a description of how the site will comply with Rule .0564 of this Section;
- (6) a map or aerial photograph, representative of existing conditions, with a scale of at least one inch equals 400 feet showing the following in an area within one-fourth mile of the site:
 - (A) the entire property or portion thereof where the site is proposed to be located;
 - (B) the location of all homes, buildings, public or private utilities, roads, wells, watercourses, water or other impoundments, and any other features that the Division may request in writing if it is necessary to determine compliance with this Subchapter;
 - (C) the 100-year floodplain boundaries, if any;
 - (D) boundaries of wetlands as defined in Section 404(b) of the Clean Water Act, if any;
 - (E) the boundaries of sites described in Rule .0564(2) and (3) of this Section, if any;
- (7) development and design plans and drawings for the site, at a scale of at least one inch equals 100 feet, with specifications containing the following information:
 - (A) property boundaries, dimensioned with bearings and distances, tied to North Carolina grid coordinates where available;
 - (B) easements and rights-of-way;
 - (C) existing on-site and adjacent structures such as houses, buildings, wells, roads and bridges, water and sewer utilities, septic fields, and storm drainage features;
 - (D) proposed and existing roads, points of ingress and egress, and access controls such as gates, fences, or berms;
 - (E) buffer and set back lines and buffered boundaries or features;
 - (F) springs, streams, creeks, rivers, ponds, and other surface waters and impoundments;
 - (G) wetlands, if any;
 - (H) boundary of the proposed waste area;
 - (I) the proposed bottom elevation of the waste in relation to the seasonal high groundwater table as defined in Rule .0532 of this Section;
 - (J) existing topography with contours of five-foot intervals. A smaller interval shall be utilized if it is necessary to clarify existing topographic conditions;
 - (K) proposed excavation, grading, and final contours at five-foot intervals. A smaller interval shall be utilized if it is necessary to clarify proposed grading. Excavation, grading, and fill material side slopes shall not exceed a ratio of three horizontal to one vertical;
 - (L) where an on-site borrow pit for operational and final cover is proposed, indicate the borrow pit excavation and grading plan with contours of five-foot intervals. A smaller interval shall be utilized if it is necessary to clarify proposed grading;
 - (M) proposed surface water control features and devices such as slope drains, storm water pipes, inlets, culverts, and channels;
 - (N) information showing that the project meets the requirements of 15A NCAC 04 for sedimentation and erosion control;
 - (O) location of test borings or test pits, if used to determine the seasonal high groundwater table elevation; and
 - (P) no less than two cross-sections, one each along each major axis, per operational area showing original elevations, proposed excavation, and proposed final elevations;

- (8) an operations plan addressing the requirements in Rule .0566 of this Section that shall contain the following information:
 - (A) the name, address, phone number, and e-mail address of the site owner and operator;
 - (B) a description of systematic usage of disposal area, operation, and development of the site;
 - (C) the type, source, and quantity of waste to be accepted; and
 - (D) an emergency contingency plan, including fire-fighting procedures;
 - (9) a closure and post-closure plan addressing the requirements in Rule .0567 of this Section that shall contain the following information:
 - (A) the procedures and schedule for closure of the site;
 - (B) the projected use of the property after closure of the site; and
 - (C) the procedures and schedule for post-closure care maintenance, and for post-closure groundwater, surface water, or explosive gas monitoring if it is required by the Division to determine compliance with Rule .0566(11) or (13) of this Section; and
 - (10) other information that the Division may request in writing if it is necessary to determine compliance with the rules of this Subchapter.
- (b) If required by G.S. 89C or 89E and not under the purview of another licensed profession, a licensed professional engineer or licensed geologist shall certify the information submitted in accordance with Subparagraphs (a)(6) through (a)(10) of this Rule.
- (c) The Division shall review all permit applications in accordance with Rule .0203 of this Subchapter.
- (d) Plans and documents submitted in the permit application in accordance with this Rule shall be incorporated into the permit and the site shall comply with the permit in accordance with Rule .0203(d) of this Subchapter.
- (e) Modifications to the plans. The owner or operator may request to modify plans that were incorporated into the permit by submitting a written request to the Division that includes the modified plan and a demonstration showing how the proposed modifications comply with the rules of this Section. The Division shall respond to the request in writing within the timeline provided in G.S. 130A-295.8(e); and the response shall either approve or deny the request as submitted or request that additional information be submitted for the Division to consider the request. The Division's approval shall be based on whether the modification complies with the rules of this Subchapter. If the Division approves the request as submitted or upon receiving the additional information requested, the Division's written approval and the revised pages of the plan shall be added to the site's operating record. The owner or operator shall not implement the modification until the Division has issued an approval.
- (f) The permit issued by the Division shall be recorded with the Register of Deeds in the same manner as sanitary landfills in accordance with G.S. 130A-301.

*History Note: Authority G.S. 130A-294;
Eff. January 4, 1993;
Readopted Eff. January 1, 2021.*