

10A NCAC 15 .1234 INSTITUTIONAL REQUIREMENTS

- (a) Disposal of waste received from other persons may be permitted only on land owned in fee simple by the State of North Carolina or the federal government at a facility which is sited and operated pursuant to provisions of G.S. 104G.
- (b) The custodial agency shall conduct an institutional control program to physically control access to the disposal site following transfer of control of the disposal site from the disposal site operator.
- (c) The institutional control program shall also include, but not be limited to, conducting an environmental monitoring program at the disposal site, periodic surveillance, minor custodial care, and other requirements as determined by the agency; and administration of funds to cover the costs for these activities.
- (d) The period of institutional controls will be determined by the agency, but shall be no less than 100 years following transfer of control of the disposal site to the custodial agency.
- (e) Notwithstanding the period of institutional control which may be required by the agency pursuant to Paragraph (d) of this Rule, such institutional control may not be relied upon for the purpose of meeting site performance criteria for more than 100 years following transfer of control of the disposal site to the custodial agency.

History Note: Authority G.S. 104E-6.1; 104E-7; 104E-10.2; 104E-16; 104E-18; 104E-25; 104E-26;
Eff. December 1, 1987;
Transferred and Recodified from 15A NCAC 11 .1234 Eff. February 1, 2015.