

15A NCAC 02H .0114 MODIFICATION AND REVOCATION OF PERMITS

(a) Any permit issued pursuant to this Section is subject to revocation or modification in whole or part pursuant to 40 CFR 122.62 or for any of the following:

- (1) violation of any terms or conditions of the permit;
- (2) obtaining a permit by misrepresentation or failure to disclose all facts;
- (3) a change in any condition that requires either a temporary or permanent reduction or limitation of the permitted discharge;
- (4) refusal of the permittee to permit the Director or his or her authorized representative upon presentation of credentials:
 - (A) to enter upon permittee's premises in which an effluent source is located or in which any records are required to be kept under terms and conditions of the permit;
 - (B) to have access to any copy and records required to be kept under terms and conditions of the permit;
 - (C) to inspect any monitoring equipment or method required in the permit; or
 - (D) to sample any discharge of pollutants;
- (5) failure to pay the annual permit fee in accordance with Rule .0105 of this Section.

(b) Modifications and reissuance of permits shall be subject to the same public notice and other procedural requirements as set forth in this Section for the issuance of permits except as follows:

- (1) modifications of the monitoring program contained in the permit;
- (2) name changes or changes in the ownership of the discharge when no other change in the permit is indicated;
- (3) a single modification of any compliance schedule not in excess of four months;
- (4) modification of compliance schedules (construction schedules) in permits for new sources where the new source will not begin to discharge until control facilities are operational;
- (5) modifications to include or amend pretreatment program requirements;
- (6) issuance of permits revoked for failure to pay the annual permit fee; and
- (7) minor modifications, such as typographical errors, incorrect maps, and similar minor changes.

History Note: *Authority G.S. 143-215.1(b)(3); 143-215.3(a)(1);*
Eff. February 1, 1976;
Amended Eff. March 1, 1993; September 1, 1988; November 1, 1987;
Readopted Eff. May 1, 2020.