

15A NCAC 02N .0703 INITIAL ABATEMENT MEASURES AND SITE CHECK

The regulations governing "Initial abatement measures and site check" set forth in 40 CFR 280.62 are hereby incorporated by reference, excluding any subsequent amendments and editions, except that:

- (1) 40 CFR 280.62(a)(6) shall read, "Investigate to determine the possible presence of free product and begin free product removal within 14 days in accordance with 40 CFR 280.64." Upon written request, the Division may grant additional time to begin free product removal. The request shall be made to the Division prior to the expiration of the required time period. When considering such a request, the Division may consider factors as follows:
 - (a) the extent to which the request for additional time is due to factors outside of the control of the tank owner or operator;
 - (b) the previous history of the tank owner or operator submitting the report in complying with deadlines established under the Commission's rules;
 - (c) the technical complications associated with free product removal; and
 - (d) the necessity for action to eliminate an imminent threat to public health or the environment; and
- (2) In 40 CFR 280.62(b) the words, "or within another reasonable period of time determined by the implementing agency," shall not be adopted by reference.

*History Note: Authority G.S. 143-215.3(a)(15); 143B-282(a)(2)(h);
Eff. January 1, 1991;
Amended Eff. June 1, 2017;
Readopted Eff. January 1, 2021.*