

**15A NCAC 02T .1403 PERMITTING BY REGULATION**

(a) The following systems shall be deemed permitted pursuant to Rule .0113 of this Subchapter provided the system meets the criteria in Rule .0113 of this Subchapter and all criteria required for the specific system by this Rule:

- (1) manure haulers that land apply a total of 100 tons or less of animal waste per calendar year if:
  - (A) animal waste is applied at no greater than agronomic rates; and
  - (B) a vegetated buffer of at least 25 feet is maintained from a perennial stream or perennial waterbody during land application.
- (2) manure haulers that land apply a total of more than 100 tons of animal waste per calendar year if:
  - (A) animal waste is applied at no greater than agronomic rates;
  - (B) animal waste is not stockpiled uncovered for greater than 15 days;
  - (C) animal waste is not stockpiled within 100 feet of a perennial stream or perennial waterbody;
  - (D) a vegetated buffer of at least 25 feet is maintained from a perennial stream or perennial waterbody during land application;
  - (E) the manure hauler registers with the Division prior to accepting or purchasing manure;
  - (F) the manure hauler submits an annual report, as required by this Section, to the Division by March 1 of each year; and
  - (G) the field on which animal waste is applied has had a representative Standard Soil Fertility Analysis within the last three years from a Division-certified laboratory pursuant to 15A NCAC 02H .0800.

(b) The Director may determine that a system should not be deemed permitted in accordance with this Rule and Rule .0113 of this Subchapter. This determination shall be made in accordance with Rule .0113(e) of this Subchapter.

*History Note: Authority G.S. 143-215.1; 143-215.3(a);  
Eff. September 1, 2006;  
Readopted Eff. September 1, 2018.*