

15A NCAC 02T .1503 PERMITTING BY REGULATION

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

- (1) Storage sites for petroleum-contaminated soils that are utilized for less than 45 days. Such sites shall meet the following criteria:
 - (A) storage shall be on 10 mil or thicker plastic;
 - (B) provisions shall be made for containing potential leachate and runoff;
 - (C) setbacks required in Rule .1506 of this Section shall be maintained; and
 - (D) approval of the activity, stating that the site meets the criteria of this Rule, shall have been received from the appropriate Regional Supervisor or his or her designee.
- (2) Land application sites for petroleum-contaminated soils with volumes of soil from each source of less than or equal to 50 cubic yards or for the application of up to 100 cubic yards if the application is at the minimum rate defined in Rule .1502(7) of this Subchapter. Such sites shall meet the following criteria:
 - (A) setbacks required in Rule .1506 of this Section shall be maintained; and
 - (B) approval of the activity, stating that the site meets the criteria of this Rule, shall have been received from the appropriate Regional Supervisor or his or her designee.
- (3) Land application sites for the disposal of drill cuttings if applied on the site where the drilling occurs. Such sites shall meet the following criteria:
 - (A) soils contaminated with non-petroleum substances shall be determined by chemical analysis to be non-hazardous wastes; and
 - (B) setbacks required in Rule .1506 of this Section shall be maintained.

(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. January 1, 2018.