

15A NCAC 13B .0831 DEFINITIONS

In addition to the terms defined in G.S. 130A-290, as used in this Section the following terms have the following meanings:

- (1) "Agronomic rates" are defined as those rates that provide the nitrogen and other nutrient needs of the crop based on available realistic yield expectations (RYE) established for a soil series through published Cooperative Extension Service bulletins, Natural Resources Conservation Service publications or county soil surveys, but do not overload the soil with nutrients or other constituents which may eventually leach to groundwater, limit crop growth, or adversely impact soil quality.
- (2) "Annual septage application rate" means the maximum amount, in gallons, of septage that can be applied to a unit area of land during a 365-day period.
- (3) "CFR" means Code of Federal Regulations.
- (4) "Department" means Department as defined in G.S. 143-212.
- (5) "Division" means the Division of Waste Management in the Department. All rules cited in this Section, under the authority of the Division, may be obtained at 401 Oberlin Road, Raleigh, North Carolina 27604, or at the Division's web page at www.wastenotnc.org.
- (6) "Land application" shall mean the spraying or spreading of septage onto the land surface; the injection of septage below the land surface; or the incorporation of septage into the soil so that the septage can condition the soil or fertilize crops or vegetation grown in the soil.
- (7) "Licensed Geologist" means an individual who is licensed to practice geology in accordance with G.S. 89E.
- (8) "Nutrient Management Plan" means a plan to define the management requirements and nutrient needs of crops to be grown on a septage land application site, including the amount, sources, placement and timing of nutrient applications to maximize the nutrient uptake of the crop. Plan implementation shall protect the environment and maintain crop productivity.
- (9) "Place of business" means any store, warehouse, manufacturing establishment, place of amusement or recreation, service station, food handling establishment, office, or any other place where people work or are served.
- (10) "Place of public assembly" means any fairground, auditorium, stadium, church, campground, theater, school, or any other place where people gather or congregate.
- (11) "Professional Engineer" means an individual who is licensed to practice engineering in accordance with G.S. 89C.
- (12) "Residence" means any habitable home, hotel, motel, summer camp, labor work camp, mobile home, dwelling unit in a multiple-family structure, or any other place where people reside.
- (13) "Rock" means the consolidated or partially consolidated mineral matter or aggregate, including bedrock or weathered rock, not exhibiting the properties of soil.
- (14) "Seasonal High Water Table" or "SHWT" is the highest level to which the soil is saturated, as may be determined through the identification of redoximorphic features in the soil profile including low chroma mottling. This does not include temporary perched conditions. Alternatively, the SHWT can also be determined from water level measurements or via soil/groundwater modeling.
- (15) "Septage" means septage as defined in G.S. 130A-290(a)(32) and also shall include washings from the interior of septage handling containers, including pumper trucks.
- (16) "Septage Management Facility" means land, personnel, and equipment used in the management of septage, including but not limited to, land application sites.
- (17) "Soil" means the unconsolidated mineral and organic material of the land surface. It consists of sand, silt, and clay minerals and variable amounts of organic materials.
- (18) "Soil Scientist" means an individual who is licensed to practice soil science in accordance with G.S. 89F.
- (19) "Soil textural classes" means soil classification based upon size distribution of mineral particles in the fine-earth fraction less than two millimeters in diameter. The fine-earth fraction includes sand (2.0 – 0.05 mm in size), silt (0.05 mm – 0.002 mm), and clay (less than 0.002 mm in size) particles. The specific textural classes are defined as follows:
 - (a) "Sand" means soil material that contains 85 percent or more of sand; the percentage of silt plus 1.5 times the percentage of clay less than 15;
 - (b) "Loamy sand" means soil material that contains at the upper limit 70 to 91 percent sand, and the percentage silt plus 1.5 times the percentage of clay is not less than 15; at the lower limit

- contains not less than 70 to 85 percent sand, and the percentage of silt plus twice the percentage of clay is less than 30;
- (c) "Sandy loam" means soil material that contains 7 to 20 percent clay, and the percentage of silt plus twice the percentage of clay exceeds 30, and contains 52 percent or more sand; or less than 7 percent clay, less than 50 percent silt, and more than 43 percent sand;
 - (d) "Loam" means soil material that contains 7 to 27 percent clay, 28 to 50 percent silt, and 52 percent or less sand;
 - (e) "Silt loam" means soil material that contains 50 percent or more silt and 12 to 27 percent clay; or contains 50 to 80 percent silt and less than 12 percent clay;
 - (f) "Silt" means soil material that contains 80 percent or more silt and less than 12 percent clay;
 - (g) "Sandy clay loam" means soil material that contains 20 to 35 percent clay and less than 28 percent silt, and more than 45 percent sand;
 - (h) "Clay loam" means soil material that contains 27 to 40 percent clay and more than 20 to 46 percent sand;
 - (i) "Silty clay loam" means solid material that contains 27 to 40 percent clay and 20 percent or less sand;
 - (j) "Sandy clay" means soil material that contains 35 percent or more clay and 45 percent or more sand;
 - (k) "Silty clay" means soil material that contains 40 percent or more clay and 40 percent or more silt; and
 - (l) "Clay" means soil material that contains 45 percent or less sand, and less than 40 percent silt.
- (20) "Technical specialist" means an individual designated by the Soil and Water Conservation Commission, pursuant to rules adopted by that Commission, to certify animal waste management plans.
- (21) "Treatment of septage" means the preparation of septage for final use or disposal. Treatment includes, but is not limited to, thickening, stabilization, and dewatering of septage. Treatment does not include storage of septage.

Definitions in 40 CFR 503.9(d), (g), (h), (j), (k), (l), (r), (t), (u), (v), (w), (bb), and in 40 CFR 503.11(a), (b), (c), (d), (f), (g), (h), (I), (k), (l), (m), (n) are incorporated by reference including subsequent amendments and editions. Copies of the Code of Federal Regulations may be obtained from the Solid Waste Section at no cost.

*History Note: Authority G.S. 130A-291.1;
Eff. October 1, 2009.*