

## SECTION .1700 - REQUIREMENTS FOR BENEFICIAL USE OF COAL COMBUSTION BY-PRODUCTS

### 15A NCAC 13B .1701 DEFINITIONS

The following definitions shall apply throughout this Section:

- (1) "Beneficial and beneficial use" means projects promoting public health and environmental protection, offering equivalent success relative to other alternatives, and preserving natural resources.
- (2) "Coal combustion by-products" means residuals, including fly ash, bottom ash, boiler slag and flue gas desulfurization residue produced by coal fired electrical or steam generation units.
- (3) "Jurisdictional wetland" means those areas that meet the criteria established by the United States Environmental Protection Agency for delineating wetlands and are considered by the Division to be waters of the United States.
- (4) "Structural fill" means an engineered fill with a projected beneficial end use constructed using coal combustion by-products properly placed and compacted.
- (5) "Use or reuse of coal combustion by-products" means the procedure whereby coal combustion by-products are directly used as follows:
  - (a) As an ingredient in an industrial process to make a product, unless distinct components of the coal combustion by-products are recovered as separate end products; or
  - (b) In a function or application as an effective substitute for a commercial product or natural resource.

*History Note:* Authority G.S. 130A-294;  
Eff. January 4, 1994.