

**15A NCAC 13B .1709 STORAGE AND CONTAINMENT OF COAL COMBUSTION BY-PRODUCTS**

(a) Coal combustion by-products may not be stored or speculatively accumulated at the immediate area where they will be put to beneficial use for a longer period of time than necessary to complete the project. Coal combustion by-products are not being speculatively accumulated when a minimum of 75 percent of the coal combustion by-products are removed from the facility and beneficially used annually.

(b) Compliance with this Section does not exempt the owner or operator of the structural fill facility from applicable North Carolina Water Pollution Control Regulations (15A NCAC 2H), the North Carolina Air Pollution Control Regulations (15A NCAC 2D) and all other federal, state and local laws and regulations.

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