

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 667  
Committee Substitute Favorable 5/7/91  
Senate Environment and Natural Resources  
Committee Substitute Adopted 6/20/91

Short Title: Land Disposal Permit Notice.

(Public)

Sponsors:

Referred to:

April 10, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AN APPLICANT FOR A PERMIT FOR DISPOSAL OF WASTE BY LAND APPLICATION TO NOTIFY EACH CITY AND COUNTY GOVERNMENT WITH JURISDICTION OVER THE LAND INVOLVED.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.1(d) reads as rewritten:

"(d) Applications and Permits for Sewer Systems, Sewer System Extensions and Pretreatment Facilities, Land Application of Waste, and for Wastewater Treatment Facilities Not Discharging to the Surface Waters of the State.

(1) All applications for new permits and for renewals of existing permits for sewer systems, sewer system extensions and for extensions, disposal ~~systems~~ systems, and for land application of waste, or treatment works which do not discharge to the surface waters of the State, and all permits or renewals and decisions denying any application for permit or renewal shall be in writing. The Commission shall act on a permit application as quickly as possible. The Commission may conduct any inquiry or investigation it considers necessary before acting on an application and may require an application to submit plans, specifications, and other information the Commission considers necessary to evaluate the application. If the Commission fails to act on an application for a permit, including a

1 renewal of a permit, within 90 days after the applicant submits all  
2 information required by the Commission, the application is considered  
3 to be approved. Permits and renewals issued in approving such  
4 facilities pursuant to this subsection ~~(d)~~ shall be effective until the date  
5 specified therein or until rescinded unless modified or revoked by the  
6 Commission. Local governmental units to whom pretreatment  
7 program authority has been delegated shall establish, maintain, and  
8 provide to the public, upon written request, a list of pretreatment  
9 applications received.

10 (2) An applicant for a permit to dispose of petroleum contaminated soil by  
11 land application shall give written notice that he intends to apply for  
12 such a permit to each city and county government having jurisdiction  
13 over any part of the land on which disposal is proposed to occur. The  
14 Commission shall not accept such a permit application unless it is  
15 accompanied by a copy of the notice and evidence that the notice was  
16 sent to each such government by certified mail, return receipt  
17 requested. The Commission may consider, in determining whether to  
18 issue the permit, the comments submitted by local governments."

19 Sec. 2. This act becomes effective 1 October 1991 and applies to all  
20 applications for permits made on or after that date.