

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 498
HOUSE BILL 667

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such facilities pursuant to this subsection ~~(d)~~ shall be effective until the date specified therein or until rescinded unless modified or revoked by the Commission.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

(2) An applicant for a permit to dispose of petroleum contaminated soil by land application shall give written notice that he intends to apply for such a permit to each city and county government having jurisdiction over any part of the land on which disposal is proposed to occur. The Commission shall not accept such a permit application unless it is accompanied by a copy of the notice and evidence that the notice was

sent to each such government by certified mail, return receipt requested. The Commission may consider, in determining whether to issue the permit, the comments submitted by local governments."

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

In the General Assembly read three times and ratified this the 2nd day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives