

**15A NCAC 02H .0913 PUBLIC ACCESS TO INFORMATION**

- (a) Information and data provided by an industrial user to the POTW Director pursuant to this Section, identifying the nature and frequency of a discharge, shall be available to the public without restriction. All other information submitted by an industrial user to the POTW Director in connection with any required reports shall also be available to the public, unless the industrial user specifically identifies the information as confidential upon submission and is able to demonstrate that the disclosure of such information or a particular part thereof to the general public would divulge methods or processes entitled to protection as trade secrets.
- (b) Information and data provided by an industrial user to the Division Director shall be subject to the processes set forth in G.S. 143-215.3C.
- (c) Information provided by an industrial user to a control authority that is determined to be entitled to confidential treatment shall be made available upon written request to the Division or any State agency for uses related to the pretreatment program, the NPDES permit, collection system permit, stormwater permit, or non-discharge permit, and for uses related to judicial review or enforcement proceedings involving the person furnishing the report.
- (d) Information and data received by the Division or other State agency under Paragraph (c) of this Rule shall be subject to the processes set forth in G.S. 143-215.3C.

*History Note:* Authority G.S. 132-1.2; 132-6; 132-9; 143-215.1; 143-215.3; 143-215.3C;  
Eff. March 28, 1980;  
Amended Eff. April 1, 2011; October 1, 1987;  
Readopted Eff. July 1, 2019.