

15A NCAC 02N .0604 REPORTING AND CLEANUP OF SPILLS AND OVERFILLS

The regulations governing "Reporting and cleanup of spills and overfills" set forth in 40 CFR 280.53 are hereby incorporated by reference, excluding any subsequent amendments and editions, except that:

- (1) in 40 CFR 280.53(a) the words "or another reasonable time period specified by the implementing agency" shall not be adopted by reference;
- (2) in 40 CFR 280.53(b) the words "or another reasonable time period established by the implementing agency" shall not be adopted by reference;
- (3) in 40 CFR 280.53(a)(1) and (b), the words, "or another reasonable amount specified by the implementing agency" shall not be adopted by reference; and
- (4) upon written request, the Division may grant additional time to submit the reports specified in 40 CFR 280.53. The request shall be made to the Division prior to the expiration of the required time period. When considering such a request, the Division may consider factors as follows:
 - (a) the extent to which the request for additional time is due to factors outside of the control of the tank owner or operator;
 - (b) the previous history of the tank owner or operator submitting the report in complying with deadlines established under the Commission's rules;
 - (c) the technical complications associated with reporting and cleanup of spills and overfills; and
 - (d) the necessity for action to eliminate an imminent threat to public health or the environment.

History Note: Authority G.S. 143-215.3(a)(15); 143B-282(a)(2)(h);
Eff. January 1, 1991;
Amended Eff. June 1, 2017;
Readopted Eff. January 1, 2021.