

15A NCAC 02T .0103 DEFINITIONS

The terms used in this Subchapter shall have the meanings set forth in G.S. 143-212 and G.S. 143-213, in this Rule, and in program-specific rules in this Subchapter:

- (1) "Agronomic rate" means the amount of waste and other materials applied to soil to meet the nitrogen needs of the crop, but does not overload the soil with nutrients or other constituents that cause or contribute to a contravention of surface water or groundwater standards, limit crop growth, or adversely impact soil quality. Nitrogen needs of the crop shall be based on realistic yield expectations (RYE) established for a soil series through published Cooperative Extension Service bulletins, Natural Resources Conservation Service publications, county soil surveys, or site specific agronomist reports.
- (2) "Animal waste" means livestock or poultry excreta or a mixture of excreta with feed, bedding, litter or other materials generated at a feedlot.
- (3) "Bedrock" is defined in 15A NCAC 02L .0102.
- (4) "Buffer" means a natural or vegetated area as defined in 15A NCAC 02B .0202.
- (5) "CFR" means Code of Federal Regulations.
- (6) "Commission" is defined in G.S. 143-212 or their delegate.
- (7) "Compliance boundary" is defined in 15A NCAC 02L .0102.
- (8) "Deemed permitted" means that a facility is considered to have a needed permit and to be compliant with the permitting requirements of G.S. 143-215.1(a), even though it has not received an individual permit for its construction or operation.
- (9) "Department" is defined in G.S. 143-212.
- (10) "Director" means the Director of the Division or its delegate.
- (11) "Division" means the Division of Water Resources in the Department.
- (12) "Effluent" means wastewater discharged from a water pollution control facility following all treatment processes or from other point source whether treated or untreated.
- (13) "Engineer" means an individual who is currently licensed by the North Carolina Board of Examiners For Engineers and Land Surveyors or is authorized to practice under G.S. 89C as an engineer.
- (14) "EPA" means the United States Environmental Protection Agency.
- (15) "Ephemeral (stormwater) stream" is defined in 15A NCAC 02B .0233.
- (16) "Essential treatment unit" means any unit associated with the wastewater treatment process whose loss would likely render the facility incapable of meeting the required performance criteria, including aeration units or other main treatment units, clarification equipment, filters, disinfection equipment, pumps and blowers.
- (17) "General Permit" means a permit issued pursuant to G.S. 143-215.1(b)(3), 143-215.1(b)(4) or 143-215.10C.
- (18) "Groundwaters" is defined in 15A NCAC 02L .0102.
- (19) "Groundwater standards" means groundwater standards as established in 15A NCAC 02L .0200.
- (20) "Industrial wastewater" means all wastewater other than sewage or animal waste, and includes:
 - (a) wastewater resulting from any process of industry or manufacture, or from the development of any natural resource;
 - (b) wastewater resulting from processes of trade or business, including wastewater from laundromats and vehicle or equipment washes, but excluding wastewater from restaurants;
 - (c) stormwater that is contaminated with an industrial wastewater;
 - (d) any combination of sewage and industrial wastewater;
 - (e) municipal wastewater, unless it can be demonstrated that the wastewater contains no industrial wastewater; and
 - (f) contaminated groundwater extracted as part of an approved groundwater remediation system approved by the Division in accordance with 15A NCAC 02L .0100.
- (21) "Intermittent stream" is defined in 15A NCAC 02B .0233.
- (22) "NPDES" means National Pollutant Discharge Elimination System.
- (23) "Perennial stream" is defined in 15A NCAC 02B .0233.
- (24) "Perennial waterbody" is defined in 15A NCAC 02B .0233.
- (25) "Pollutant" means waste as defined in G.S. 143-213.
- (26) "Potable waters" is defined in 15A NCAC 02L .0102.

- (27) "Private well" means any potable or irrigation well not directly controlled by a public authority or a public utility authorized by the North Carolina Public Utilities Commission. This may include a private individual or community well as defined in the public water supply rules codified in 15A NCAC 18C.
- (28) "Professional engineer" means a person who is presently registered and licensed as a professional engineer by the North Carolina Board of Examiners For Engineers and Land Surveyors.
- (29) "Public or community sewage system" means a single system of sewage collection, treatment, or disposal owned and operated by a sanitary district, a metropolitan sewage district, a water and sewer authority, a county, a municipality, or a public utility authorized to operate by the North Carolina Utilities Commission.
- (30) "Residuals" means any solid, semisolid, or liquid waste, other than effluent or residues from agricultural products and processing, generated from a wastewater treatment facility, water supply treatment facility, or air pollution control facility permitted under the authority of the Commission.
- (31) "Residues from agricultural products and processing" means solids, semi-solids, or liquid residues from food and beverage processing and handling, silviculture, agriculture, and aquaculture operations permitted under the authority of the Commission that are non-toxic, non-hazardous, and contain no domestic wastewater.
- (32) "Restrictive horizon" is the layer in a soil profile that is capable of reducing the downward water movement to the minimum rate, as evidenced by lowest saturated hydraulic conductivity among all the soil layers. Restrictive horizon is often capable of perching ground water or wastewater effluent and is characterized by accumulation of finer soil particles (such as aluminum, clay, iron, silica, organic matter, or other compounds) or compaction due to heavy equipment.
- (33) "Review boundary" is defined in 15A NCAC 02L .0102.
- (34) "Seasonal High Water Table" or "SHWT" is the highest level to which the soil is saturated, as may be determined through the identification of redoximorphic features in the soil profile, including low chroma mottling. This does not include temporary perched conditions. Alternatively, the SHWT can also be determined from water level measurements or via soil or groundwater modeling.
- (35) "Secretary" is defined in G.S. 143-212 and includes the Secretary's delegate.
- (36) "Setback" means the separation in linear feet, measured on a horizontal plane, required between a treatment works, disposal system, or utilization system and physical features such as buildings, roads, property lines, or water bodies.
- (37) "Sewage" means the liquid and solid human waste and liquid waste generated by domestic water-using fixtures and appliances from any residence, place of business, or place of public assembly. Sewage does not include wastewater that is totally or partially industrial wastewater or any other wastewater that is not domestic waste.
- (38) "Soil scientist" means an individual who is currently licensed or authorized to practice soil science pursuant to G.S. 89F by the North Carolina Board for Licensing of Soil Scientists.
- (39) "Staff" means the staff of the Division.
- (40) "Surface waters" means all waters as defined in G.S. 143-212 except underground waters.
- (41) "Surface water standards" means surface water standards established in 15A NCAC 02B .0200.
- (42) "Technical specialist" means an individual designated by the Soil and Water Conservation Commission to certify that the planning, design, and implementation of Best Management Practices, including all or part of an animal waste management plan, meet the standards and specifications of the Soil and Water Conservation Commission or the U.S. Department of Agriculture, Natural Resources Conservation Service.
- (43) "Toxicity test" means a test for toxicity conducted using the procedures contained in 40 CFR 261.24, which is incorporated by reference including any subsequent amendments and editions.
- (44) "Treatment works or disposal system that does not discharge to surface waters" means any treatment works, facility, utilization system, or disposal system that is designed to:
- (a) operate as closed system with no discharge to waters of the State; or
 - (b) dispose of or use wastes, including residuals, residues, contaminated soils and animal waste, on the surface of the land; or
 - (c) dispose of wastes through a subsurface disposal system pursuant to G.S. 143-215.1(a4).
- (45) "Waste oil" means any used nonhazardous petroleum product other than crankcase oil. Crankcase oil mixed with other used nonhazardous petroleum products shall be deemed to be waste oil.

- (46) "Wetlands" are waters as defined in G.S. 143-212 and are areas that are inundated or saturated by an accumulation of surface or ground water as defined in 15A NCAC 02B .0202.

*History Note: Authority G.S. 130A-335; 143-213; 143-215.3(a)(1);
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