

**15A NCAC 02T .1103 PERMITTING BY REGULATION**

(a) The following systems shall be deemed permitted pursuant to Rule .0113 of this Subchapter if the system meets the criteria in Rule .0113 of this Subchapter and all criteria required for that system in this Rule:

- (1) preparation for land application, use, or disposal of residuals in a solid waste facility permitted by the Division of Waste Management that is approved to receive the residuals;
- (2) land application of residuals that have been prepared for land application in a solid waste facility permitted by the Division of Waste Management and approved to receive the residuals if the requirements of this Section are met;
- (3) land application sites onto which Class A residuals that are sold or given away in a bag or other container are applied, provided the following criteria are met:
  - (A) the residuals meet the pollutant limits in Rule .1105(a) and Rule .1105(c) of this Section;
  - (B) the residuals meet the pathogen requirements in Rule .1106(a) of this Section;
  - (C) the residuals meet the vector attraction reduction requirements in Rule .1107(a) of this Section; and
  - (D) the land application activities are carried out according to the instructions provided in the informational sheet, bag, or other container label as required in Rule .1109(c) of this Section;
- (4) land application sites onto which Class A biological residuals are applied, if the residuals and activities meet the following criteria:
  - (A) the residuals meet the pollutant limits in Rule .1105(a) and Rule .1105(c) of this Section;
  - (B) the residuals meet the pathogen requirements in Rule .1106(a) of this Section;
  - (C) the residuals meet the vector attraction reduction requirements in Rule .1107(a) of this Section; and
  - (D) the land application activities meet all applicable conditions of Rule .1108(b) and Rule .1109(a)(1) of this Section;
- (5) land application sites onto which Class A non-biological residuals are applied, if the residuals and activities meet the following criteria:
  - (A) the residuals meet the pollutant limits in Rule .1105(a) and Rule .1105(c) of this Section;
  - (B) the residuals meet the pathogen requirements in Rule .1106(b) of this Section; and
  - (C) the land application activities meet all applicable conditions of Rule .1108(b) and Rule .1109(a)(1) of this Section; and
- (6) transportation of residuals from the residuals-generating source facility to other Division or Division of Waste Management facilities approved to treat, store, use, or dispose the residuals.

(b) The Director may determine that a system shall not be deemed permitted in accordance with this Rule and Rule .0113 of this Subchapter. This determination shall be made in accordance with Rule .0113(e) of this Subchapter.

*History Note: Authority G.S. 143-215.1; 143-215.3(a);  
Eff. September 1, 2006;  
Readopted Eff. September 1, 2018.*