

15A NCAC 02T .1306 CLOSURE REQUIREMENTS

(a) Any containment basin, such as a lagoon or a waste storage structure, permitted at an animal operation other than a cattle facility pursuant to this Section shall continue to be subject to the conditions and requirements of the facility's permit until it is closed in compliance with NRCS standards and the permit is rescinded by the Division. Closure shall include pre-notification to the Division and submittal of closure form within 15 days of completion of closure to the Division on a closure form supplied by the Division or a form approved by the Division as providing the same information as required by the Division's forms.

(b) Any Containment basin, such as a lagoon or a waste storage structure, permitted at a cattle facility pursuant to this Section shall continue to be subject to the conditions and requirements of the facility's permit until that permit is rescinded by the Division, based on the factors set out in 15A NCAC 02T .0113(e). Upon request of the permittee, the permit may be rescinded by the Division prior to closure of the containment basin if the cattle facility has not met the definition of an animal operation as established in G.S. 143-215.120B for the previous three years or longer. Upon permit rescission, the following requirements shall apply:

- (1) The cattle facility shall be subject to the requirements of Rule .1303 of this Section and Rule .0113 of this Subchapter until the containment basin is closed in compliance with NRCS standards.
- (2) The farm owner shall maintain records of land application and weekly records of containment basin waste levels on forms provided by or approved by the Division.
- (3) Closure shall include pre-notification to the Division and the submittal of a closure form within 15 days of completion of closure to the Division on a closure form supplied by the Division or a form approved by the Division as providing the same information as required by the Division's forms.

(c) The Division shall have the authority to deny a request for permit rescission based on the factors set out in Rule .0113(e) of this Subchapter.

*History Note: Authority G.S. 143-215.1; 143-215.3(a); 143-215.10A; S.L. 2013-413;
Eff. September 1, 2006;
Readopted Eff. September 1, 2018.*