

15A NCAC 13B .0402 GENERAL REQUIREMENTS

- (a) The owner or operator of a transfer station (site) shall comply with the conditions of the permit issued by the Division. In the event of noncompliance with the permit, the owner or operator shall minimize the release of waste, leachate, or contaminants to the environment, and shall prevent adverse impacts to human health or the environment.
- (b) The owner or operator shall submit to the Division upon written request any information or records required to be kept under the conditions of the permit or the rules of this Section.
- (c) In an enforcement action, necessity to halt or reduce the permitted activity to maintain compliance with the conditions of the permit shall not be a defense. Notification of anticipated noncompliance does not stay any existing permit condition.
- (d) The owner or operator may submit an application for a permit amendment or modification in accordance with G.S. 130A-294(a3). The filing of an application for a permit modification or amendment, or a notification of a significant change in accordance with G.S. 130A-295.2(g), does not stay any existing permit condition.
- (e) The Division shall deny an application for a permit for the reasons provided in G.S. 130A-294(a)(4)c. The Division may suspend or revoke a permit in accordance with G.S. 130A-23. If the Division denies a permit application or revokes or suspends a permit, the Division shall notify the owner or operator in writing of the reasons for the permit action.
- (f) If construction is not commenced within 18 months following the issuance date of the permit approval to construct, or an amendment to the permit approval to construct, then the permit shall expire.
- (g) The owner or operator shall operate and maintain all sites and related appurtenances that are installed or used by the owner or operator to achieve compliance with the conditions of the permit, the plans incorporated in the permit in accordance with Rule .0404(d) of this Section, and any documents referenced in the permit and the rules of this Section.
- (h) The site shall only conduct the solid waste management activities that the site is permitted to conduct. Construction and operation of additional solid waste management activities at the site shall not impede site operations.
- (i) Site permits issued by the Division in accordance with this Section shall be valid for the life-of-site operations in accordance with Rule .0207 of this Subchapter, not to exceed 60 years from the date of the first permit issued for the site.
- (j) Sites permitted under the rules of this Section shall be subject to the permit fees set forth in G.S. 130A-295.8.
- (k) The owner or operator shall report to the Division verbally or in writing within 24 hours from the time the owner or operator becomes aware of the circumstances of any release or discharge of leachate or contaminants outside the leachate collection system or other containment component at the site.

History Note: Authority G.S. 130A-294;
Eff. April 1, 1982;
Readopted Eff. January 1, 2021.