15A NCAC 18C .1611   DISPOSITION OF AN EXEMPTION REQUEST

(a) If the Secretary decides to deny the application for an exemption, the applicant shall be notified of the intention to issue a denial. Such notice shall include a statement of reasons for the proposed denial. Within 30 days after the receipt of such notice, the applicant may request a hearing for the purpose of contesting the proposed denial. Such hearing shall be conducted in the manner set forth in G.S. 150B-22 through 150B-37. If no hearing is requested by the applicant within the 30 day period, the application shall be denied.

(b) If the Secretary grants an exemption request submitted pursuant to .1609 of this Section, the applicant shall be notified of the decision in writing. Such notice shall identify the facility covered and shall specify the termination date of the exemption. Such notice shall provide that the exemption will be terminated when the system comes into compliance with the applicable rule, and may be terminated upon a finding by the Secretary that the system has failed to comply with any requirements of a final schedule issued pursuant to .1613 of this Section.

(c) The Secretary shall propose a schedule for:
> (1)   compliance (including increments of progress) by the public water system with each contaminant level requirement and treatment technique requirement covered by the exemption, and
> (2)   implementation by the public water system of such control measures as the Secretary may require for each contaminant covered by the exemption.

(d) The schedule shall be prescribed by the secretary within one year after the granting of the exemption, subsequent to provision of opportunity for hearing pursuant to .1612 of this Section.

History Note: Authority G.S. 130A-315; 130A-321; P.L. 93-523; 40 C.F.R. 142;
Eff. September 1, 1979;
Transferred and Recodified from 10 NCAC 10D .2509 Eff. April 4, 1990;
Amended Eff. September 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.