

1 15A NCAC 13B .0535 is amended with changes as published in 36:20 NCR 1634 as follows:

2  
3 **15A NCAC 13B .0535 APPLICATION REQUIREMENTS FOR C&DLF FACILITIES**

4 (a) New permit as defined in G.S. 130A-294(a3)(1)a, c, d, and e. An applicant for a new C&DLF permit as defined  
5 in G.S. 130A-294(a3)(1)a, c, d, and e shall meet the requirements of Rule .0536 of this Section prior to submitting an  
6 application for a permit to construct.

7 (1) Permit to Construct. An application for a permit to construct for a new permit as defined in G.S.  
8 130A-294(a3)(1)a, c, d, and e shall contain the following:

9 (A) a facility plan that describes the comprehensive development of the C&DLF facility  
10 prepared in accordance with Rule .0537 of this Section;

11 (B) a design hydrogeologic report prepared in accordance with Rule .0538(b) of this Section;

12 (C) an engineering plan for the initial phase of landfill development prepared in accordance  
13 with Rule .0539 of this Section;

14 (D) a construction quality assurance plan prepared in accordance with Rule .0541 of this  
15 Section;

16 (E) an operation plan prepared in accordance with Rule .0542 of this Section;

17 (F) a closure and post-closure plan prepared in accordance with Rule .0543 of this Section;

18 (G) monitoring plans prepared in accordance with Rule .0544 of this Section;

19 (H) an environmental compliance history for the applicant in accordance with G.S. 130A-  
20 295.3; and

21 (I) for an applicant that is not a federal, State, or local government, an organization chart  
22 showing the ownership structure of the applicant.

23 (2) Permit to Operate. The owner and operator shall meet the pre-operative requirements of the permit  
24 to construct to qualify the constructed C&DLF unit for a permit to operate.

25 (b) New permit as defined in G.S. 130A-294(a3)(1)b. An application for a new C&DLF permit as defined in G.S.  
26 130A-294(a3)(1)b. shall identify the proposed expansion of the permitted activity and shall contain:

27 (1) a facility plan that describes the comprehensive development of the C&DLF facility prepared in  
28 accordance with Rule .0537 of this Section;

29 (2) local government approval in accordance with Rule .0536(c)(11) of this Section;

30 ~~[(3) information that demonstrates compliance with the rules of this Section;]~~

31 ~~[(4)](3)~~ an environmental compliance history for the applicant in accordance with G.S. 130A-295.3; ~~and~~

32 ~~[(5)](4)~~ for an applicant that is not a federal, State, or local government, an organization chart showing the  
33 ownership structure of the ~~applicant.~~ applicant.

34 (5) if the applicant is proposing changes to the final elevations in the existing facility permit as a part  
35 of the proposed expansion.

36 (A) an updated engineering plan prepared in accordance with Rule .0539 of this Section;

1 (B) an updated construction quality assurance plan prepared in accordance with Rule .0541 of  
2 this Section; and

3 (C) an updated closure and post-closure plan prepared in accordance with Rule .0543 of this  
4 Section; and

5 (6) if the applicant is proposing changes to the facility operations as a part of the proposed expansion,  
6 an updated operation plan prepared in accordance with Rule .0542 of this Section.

7 (c) Amendment to the permit. An application for an amendment to the permit shall contain:

- 8 (1) an updated design hydrogeologic report prepared in accordance with Rule .0538(b) of this Section;
- 9 (2) an updated engineering plan prepared in accordance with Rule .0539 of this Section;
- 10 (3) an updated construction quality assurance plan prepared in accordance with Rule .0541 of this  
11 Section;
- 12 (4) an updated operation plan prepared in accordance with Rule .0542 of this Section;
- 13 (5) an updated closure and post-closure plan prepared in accordance with Rule .0543 of this Section;
- 14 (6) an updated monitoring plan prepared in accordance with Rule .0544 of this Section;
- 15 (7) an updated environmental compliance history for the applicant in accordance with G.S. 130A-295.3;  
16 and
- 17 (8) for an applicant that is not a federal, State, or local government, an updated organization chart  
18 showing the ownership structure of the applicant.

19 (d) Modifications to the permit. The owner or operator may propose to modify plans that were prepared and approved  
20 in accordance with the requirements set forth in Rules .0531 through .0546 of this Section. A complete application  
21 shall identify the requirement(s) proposed for modification and provide information that demonstrates compliance  
22 with Rules .0531 through .0546 of this Section.

23 (e) A permit for closure and post-closure. An application for closure and post-closure permit shall contain:

- 24 (1) an updated engineering plan prepared in accordance with Rule .0539 of this Section;
- 25 (2) an updated construction quality assurance plan prepared in accordance with Rule .0541 of this  
26 Section;
- 27 (3) an updated closure plan and updated post-closure plan prepared in accordance with Rule .0543 of  
28 this Section; and
- 29 (4) for an applicant that is not a federal, State, or local government, an updated organization chart  
30 showing the ownership structure of the applicant.

31  
32 *History Note: Authority G.S. 130A-294;*  
33 *Eff. January 1, 2007;*  
34 *Readopted Eff. September 16, 2021-2021;*  
35 *Amended Eff. Pending Legislative Review of Session Law Amendments Under Separate Submittal.*

1 15A NCAC 13B .1617 is amended with changes as published in 36:20 NCR 1634 as follows:

2  
3 **15A NCAC 13B .1617 APPLICATION REQUIREMENTS FOR MSWLF FACILITIES**

4 (a) New permit as defined in G.S. 130A-294(a3)(1)a, c, d, and e. An applicant for a new MSWLF permit as defined  
5 in G.S. 130A-294(a3)(1)a, c, d, and e shall meet the requirements of Rule .1618 of this Section prior to submitting an  
6 application for a permit to construct.

7 (1) Permit to Construct. A complete application for a permit to construct for a new permit as defined in  
8 G.S. 130A-294(a3)(1)a, c, d, and e shall contain the following:

9 (A) a facility plan that describes comprehensive development of the MSWLF facility prepared  
10 in accordance with Rule .1619 of this Section;

11 (B) an engineering plan that is prepared for the initial phase of landfill development prepared  
12 in accordance with Rule .1620 of this Section;

13 (C) a construction quality assurance plan prepared in accordance with Rule .1621 of this  
14 Section;

15 (D) an operation plan prepared in accordance with Rule .1625 of this Section;

16 (E) a closure and post-closure plan prepared in accordance with Rule .1629 of this Section;

17 (F) the design hydrogeologic report and monitoring plans prepared in accordance with Rule  
18 .1623(b) of this Section;

19 (G) an environmental compliance history for the applicant in accordance with G.S. 130A-  
20 295.3; and

21 (H) for an applicant that is not a federal, State, or local government, an organization chart  
22 showing the ownership structure of the applicant.

23 (2) Permit to Operate. The owner or operator shall meet the pre-operative requirements of the permit to  
24 construct to qualify the constructed MSWLF unit for a permit to operate.

25 (b) New permit as defined in G.S. 130A-294(a3)(1)b. A complete application for a new MSWLF permit as defined  
26 in G.S. 130A-294(a3)(1)b shall identify the proposed expansion of the permitted activity and shall contain:

27 (1) a facility plan that describes the comprehensive development of the MSWLF facility prepared in  
28 accordance with Rule .1619 of this Section;

29 (2) local government approval in accordance with Rule .1618(c)(6) of this Section;

30 ~~[(3) information that demonstrates compliance with the rules of this Section;]~~

31 ~~[(4)](3)~~ an environmental compliance history for the applicant in accordance with G.S. 130A-295.3; ~~and~~

32 ~~[(5)](4)~~ for an applicant that is not a federal, State, or local government, an organization chart showing the  
33 ownership structure of the ~~applicant.~~ applicant;

34 (5) if the applicant is proposing changes to the final elevations in the existing facility permit as a part  
35 of the proposed expansion:

36 (A) an updated engineering plan prepared in accordance with Rule .1620 of this Section;

1 (B) an updated construction quality assurance plan prepared in accordance with Rule .1621 of  
2 this Section; and

3 (C) an updated closure and post-closure plan prepared in accordance with Rule .1629 of this  
4 Section; and

5 (6) if the applicant is proposing changes to the facility operations as a part of the proposed expansion,  
6 an updated operation plan prepared in accordance with Rule .1625 of this Section.

7 (c) Amendment to the permit. An application for an amendment to the permit shall contain:

- 8 (1) an updated engineering plan prepared in accordance with Rule .1620 of this Section;
- 9 (2) an updated construction quality assurance plan prepared in accordance with Rule .1621 of this  
10 Section;
- 11 (3) an updated operation plan prepared in accordance with Rule .1625 of this Section;
- 12 (4) an updated closure and post-closure plan prepared in accordance with Rule .1629 of this Section;
- 13 (5) an updated design hydrogeologic report and monitoring plans prepared in accordance with Rule  
14 .1623(b) of this Section;
- 15 (6) an updated environmental compliance history for the applicant in accordance with G.S. 130A-295.3;  
16 and
- 17 (7) for an applicant that is not a federal, State, or local government, an updated organization chart  
18 showing the ownership structure of the applicant.

19 (d) Modifications to the permit. The owner or operator may propose to modify plans that were prepared and approved  
20 in accordance with the requirements set forth in this Section. A complete application shall identify the requirement(s)  
21 proposed for modification and provide information that demonstrates compliance with the rules of this Section.

22 (e) A permit for closure and post-closure. An application for closure and post-closure shall contain:

- 23 (1) an updated engineering plan prepared in accordance with Rule .1620 of this Section;
- 24 (2) an updated construction quality assurance plan prepared in accordance with Rule .1621 of this  
25 Section;
- 26 (3) an updated closure plan and updated post-closure plan prepared in accordance with Rule .1629 of  
27 this Section; and
- 28 (4) for an applicant that is not a federal, State, or local government, an updated organization chart  
29 showing the ownership structure of the applicant.

30  
31 *History Note: Authority G.S. 130A-294;*  
32 *Eff. October 9, 1993;*  
33 *Readopted Eff. September 16, ~~2021~~2021;*  
34 *Amended Eff. Pending Legislative Review of Session Law Amendments Under Separate Submittal.*  
35