

G.S. 150B-21.3A Report for 15A NCAC 13B, SOLID WASTE MANAGEMENT

Agency - Environmental Management Commission

Comment Period - July 15 - September 20, 2016

Date Submitted to APO - April 24, 2017

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SECTION .0100 - GENERAL PROVISIONS	15A NCAC 13B .0101	DEFINITIONS	Amended Eff. August 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0102	APPLICABILITY	Amended Eff. February 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0103	GENERAL CONDITIONS	Amended Eff. October 1, 1995	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0104	SOLID WASTE STORAGE	Amended Eff. February 1, 1988	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0105	COLLECTION AND TRANSPORTATION OF SOLID WASTE	Amended Eff. February 1, 1988	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0106	GENERATOR OF SOLID WASTE	Eff. January 1, 1985	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0200 - PERMITS FOR SOLID WASTE MANAGEMENT FACILITIES	15A NCAC 13B .0201	PERMIT REQUIRED	Amended Eff. September 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0202	PERMIT APPLICATION	Amended Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0203	PERMIT APPROVAL OR DENIAL	Amended Eff. August 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0204	RECORDATION OF LAND DISPOSAL PERMITS	Eff. April 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0300 - TREATMENT AND PROCESSING FACILITIES	15A NCAC 13B .0301	APPLICATION REQUIREMENTS	Amended Eff. February 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0302	OPERATIONAL REQUIREMENTS	Eff. April 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0400 - TRANSFER FACILITIES	15A NCAC 13B .0401	APPLICATION REQUIREMENTS	Amended Eff. February 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0402	OPERATIONAL REQUIREMENTS	Eff. April 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0500 - DISPOSAL SITES	15A NCAC 13B .0501	APPROVED DISPOSAL METHODS	Amended Eff. October 9, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0502	OPEN DUMPS	Amended Eff. August 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0503	SITING AND DESIGN REQUIREMENTS FOR DISPOSAL SITES	Amended Eff. October 1, 1995	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0504	APPLICATION REQUIREMENTS FOR SANITARY LANDFILLS	Amended Eff. July 1, 2013	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0505	OPERATIONAL REQUIREMENTS FOR SANITARY LANDFILLS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0508	APPLICATION REQUIREMENTS FOR INCINERATORS	Amended Eff. February 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0509	OPERATIONAL REQUIREMENTS FOR INCINERATORS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0510	CLOSURE CONDITIONS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	15A NCAC 13B .0531	PURPOSE, SCOPE, AND APPLICABILITY FOR CONSTRUCTION AND DEMOLITION LANDFILLS	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0532	DEFINITIONS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0533	GENERAL APPLICATION REQUIREMENTS AND PROCESSING FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0534	GENERAL REQUIREMENTS FOR C&DLF FACILITIES AND UNITS	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0535	APPLICATION REQUIREMENTS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0536	SITE STUDY FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0537	FACILITY PLAN FOR C&DLFs	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0538	GEOLOGIC AND HYDROGEOLOGIC INVESTIGATIONS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0539	ENGINEERING PLAN FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0540	CONSTRUCTION REQUIREMENTS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0541	CONSTRUCTION QUALITY ASSURANCE FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0542	OPERATION PLAN AND REQUIREMENTS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0543	CLOSURE AND POST-CLOSURE REQUIREMENTS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0544	MONITORING PLANS AND REQUIREMENTS FOR C&DLF FACILITIES	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0545	ASSESSMENT AND CORRECTIVE ACTION PROGRAM FOR C&DLF FACILITIES AND UNITS	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0546	FINANCIAL ASSURANCE REQUIREMENTS FOR C&DLF FACILITIES AND UNITS	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0547	EXISTING C&DLF UNITS AS OF JANUARY 1, 2007	Eff. January 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0560	LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS	Eff. January 4, 1993	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	15A NCAC 13B .0562	BENEFICIAL FILL	Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0563	APPLICABILITY REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS	Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0564	SITING CRITERIA FOR LAND CLEARING AND INERT DEBRIS (LCID) LANDFILLS	Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0565	APPLICATION REQUIREMENTS FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS	Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	15A NCAC 13B .0566	OPERATIONAL REQ. FOR LAND CLEARING/INERT DEBRIS (LCID) LANDFILLS	Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0600 - MONITORING REQUIREMENTS	15A NCAC 13B .0601	GROUND-WATER MONITORING	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0602	SURFACE WATER MONITORING	Eff. April 1, 1982	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0700 - ADMINISTRATIVE PENALTY PROCEDURES	15A NCAC 13B .0701	ADMINISTRATIVE PENALTIES	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0702	STANDARDS	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0703	PROCEDURE FOR ASSESSMENT: REVOCATION OF PERMIT	Amended Eff. May 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0704	PAYMENTS: HEARING	Amended Eff. September 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0705	STAY OF PENALTY ASSESSMENT	Amended Eff. May 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0706	WAIVER OF ADMINISTRATIVE HEARING	Amended Eff. May 1, 1987	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .0800 - SEPTAGE MANAGEMENT	15A NCAC 13B .0830	INCORPORATION BY REFERENCE	Eff. October 1, 2009	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 257, 40 CFR 503	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	15A NCAC 13B .0831	DEFINITIONS	Eff. October 1, 2009	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 503	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0832	GENERAL PROVISIONS	Amended Eff. January 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0833	SEPTAGE MANAGEMENT FIRM PERMITS	Eff. November 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0834	PERMIT FEES	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0835	SEPTAGE LAND APPLICATION SITE PERMITS	Eff. April 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0836	SEPTAGE DETENTION AND TREATMENT FACILITY PERMITS	Eff. April 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0837	LOCATION OF SEPTAGE LAND APPLICATION SITES	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0838	MANAGEMENT OF SEPTAGE LAND APPLICATION SITES	Eff. October 1, 2009	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 257, 40 CFR 503	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0839	RECORD KEEPING FOR SEPTAGE MANAGEMENT FIRMS	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0840	SAMPLING AND ANALYSIS	Eff. October 1, 2009	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 257, 40 CFR 503	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0841	STANDARDS FOR SEPTAGE DETENTION AND TREATMENT FACILITIES	Eff. April 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0842	INNOVATIVE OR ALTERNATIVE TREATMENT OR STORAGE METHODS	Eff. April 1, 2010	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	15A NCAC 13B .0843	LAND USE AND SITE CLOSURE	Eff. October 1, 2009	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 503	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0844	TRANSPORTATION OF SEPTAGE	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0845	REVOCAION OF PERMITS	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .0846	APPEALS	Eff. October 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .1000 - SOLID WASTE MANAGEMENT LOAN PROGRAM	15A NCAC 13B .1001	DEFINITIONS	Eff. November 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	15A NCAC 13B .1002	APPLICATION	Eff. November 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	15A NCAC 13B .1003	ELIGIBLE PURPOSES	Eff. November 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	15A NCAC 13B .1004	SCREENING OF APPLICATION	Eff. November 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
	15A NCAC 13B .1005	PRIORITY FACTORS	Eff. November 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
SECTION .1100 - SCRAP TIRE MANAGEMENT	15A NCAC 13B .1101	DEFINITIONS	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1102	APPLICATION FEE AND ANNUAL PERMIT FEE	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1103	GENERATOR OF SCRAP TIRES	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1104	GENERAL CONDITIONS	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1105	PERMIT REQUIRED	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1106	SCRAP TIRE COLLECTION SITE PERMIT REQUIREMENTS	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1107	SCRAP TIRE COLLECTION SITE OPERATIONAL REQUIREMENTS	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1108	SCRAP TIRE DISPOSAL SITE PERMIT AND OPERATIONAL REQUIREMENTS	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1109	CLOSURE OF NON-CONFORMING SITES	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1110	SCRAP TIRE PROCESSING FACILITIES	Eff. October 1, 1990	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1111	FINANCIAL RESPONSIBILITY REQUIREMENTS	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
15A NCAC 13B .1112	SCRAP TIRE HAULER REQUIREMENTS	Eff. October 1, 1990	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code	
SECTION .1200 - MEDICAL WASTE MANAGEMENT	15A NCAC 13B .1201	DEFINITIONS	Amended Eff. April 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1202	GENERAL REQUIREMENTS FOR MEDICAL WASTE	Amended Eff. January 4, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 15A NCAC 13B, SOLID WASTE MANAGEMENT

Agency - Environmental Management Commission

Comment Period - July 15 - September 20, 2016

Date Submitted to APO - April 24, 2017

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	15A NCAC 13B .1203	GENERAL REQUIREMENTS FOR REGULATED MEDICAL WASTE	Amended Eff. April 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1204	REQUIREMENTS FOR GENERATORS OF REGULATED MEDICAL WASTE	Amended Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1205	REQUIREMENTS FOR TRANSPORTERS OF REGULATED MEDICAL WASTE	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1206	REQUIREMENTS FOR STORAGE OF REGULATED MEDICAL WASTE	Eff. October 1, 1990	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1207	OPERATIONAL REQ/REGULATED MEDICAL WASTE TREATMENT FACILITIES	Amended Eff. April 1, 1993	Necessary with substantive public interest	No		Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .1300 - DISPOSITION OF FETAL REMAINS	15A NCAC 13B .1301	MANNER OF DISPOSITION OF FETAL REMAINS	Amended Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .1400 - SOLID WASTE COMPOST FACILITIES	15A NCAC 13B .1401	REQUIREMENT FOR PERMIT	Amended Eff. May 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1402	GENERAL PROVISIONS FOR SOLID WASTE COMPOST FACILITIES	Amended Eff. May 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1403	GENERAL PROHIBITIONS FOR SOLID WASTE COMPOST FACILITIES	Amended Eff. May 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1404	SITING/DESIGN REQUIREMENTS FOR SOLID WASTE COMPOST FACILITIES	Amended Eff. May 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1405	APPLICATION REQUIREMENTS FOR SOLID WASTE COMPOST FACILITIES	Amended Eff. May 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1406	OPERATIONAL REQUIREMENTS FOR SOLID WASTE COMPOST FACILITIES	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1407	CLASSIFICATION/DISTRIBUTION OF SOLID WASTE COMPOST PRODUCTS	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1408	METHODS FOR TESTING AND REPORTING REQUIREMENTS	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1409	APPROVAL OF ALTERNATIVE PROCEDURES AND REQUIREMENTS	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .1600 - REQUIREMENTS FOR MUNICIPAL SOLID WASTE LANDFILL FACILITIES (MSWLFs)	15A NCAC 13B .1601	PURPOSE, SCOPE, AND APPLICABILITY	Amended Eff. April 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1602	DEFINITIONS	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1603	GENERAL APPLICATION REQUIREMENTS AND PROCESSING	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1604	GENERAL REQUIREMENTS FOR MSWLF FACILITIES	Amended Eff. May 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1617	APPLICATION REQUIREMENTS FOR MSWLF FACILITIES	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1618	SITE STUDY FOR MSWLF FACILITIES	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 15A NCAC 13B, SOLID WASTE MANAGEMENT

Agency - Environmental Management Commission

Comment Period - July 15 - September 20, 2016

Date Submitted to APO - April 24, 2017

Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	15A NCAC 13B .1619	FACILITY PLAN	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1620	ENGINEERING PLAN	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1621	CONSTRUCTION QUALITY ASSURANCE PLAN	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1622	LOCATION RESTRICTIONS FOR MSWLF FACILITY SITING	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1623	GEOLOGIC AND HYDROGEOLOGIC INVESTIGATIONS FOR MSWLF FACILITIES	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1624	CONSTRUCTION REQUIREMENTS FOR MSWLF FACILITIES	Amendment Eff. April 1, 1999	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1625	OPERATION PLAN FOR MSWLF FACILITIES	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1626	OPERATIONAL REQUIREMENTS FOR MSWLF FACILITIES	Amended Eff. May 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1627	CLOSURE AND POST-CLOSURE REQUIREMENTS FOR MSWLF FACILITIES	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1628	FINANCIAL ASSURANCE RULE	Amended Eff. October 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1629	CLOSURE AND POST-CLOSURE PLAN	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1630	APPLICABILITY OF GROUND-WATER MONITORING REQUIREMENTS	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1631	GROUND-WATER MONITORING SYSTEMS	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1632	GROUND-WATER SAMPLING AND ANALYSIS REQUIREMENTS	Amended Eff. April 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1633	DETECTION MONITORING PROGRAM	Amended Eff. April 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1634	ASSESSMENT MONITORING PROGRAM	Amended Eff. April 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1635	ASSESSMENT OF CORRECTIVE MEASURES	Amended Eff. May 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	Yes	Necessary with substantive public interest	RRC not required to review comment(s)	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1636	SELECTION OF REMEDY	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1637	IMPLEMENTATION OF THE CORRECTIVE ACTION PROGRAM	Amended Eff. April 1, 2011	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1680	LEACHATE STORAGE REQUIREMENTS	Eff. October 9, 1993	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	40 CFR 258	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
SECTION .1700 - REQUIREMENTS FOR BENEFICIAL USE OF COAL COMBUSTION BY-PRODUCTS	15A NCAC 13B .1701	DEFINITIONS	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1702	GENERAL PROVISIONS FOR STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	15A NCAC 13B .1703	NOTIFICATION FOR STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1704	SITING FOR STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1705	DESIGN, CONSTRUCTION, AND OPERATION FOR STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1706	CLOSURE OF STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1707	RECORDATION OF STRUCTURAL FILL FACILITIES	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1708	OTHER USES FOR COAL COMBUSTION BY-PRODUCTS	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1709	STORAGE AND CONTAINMENT OF COAL COMBUSTION BY-PRODUCTS	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	15A NCAC 13B .1710	ANNUAL REPORTING	Eff. January 4, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt