

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 667  
Committee Substitute Favorable 5/7/91

Short Title: Nonsurface Discharge Permit/Notice.

(Public)

Sponsors:

Referred to:

April 10, 1991

A BILL TO BE ENTITLED

AN ACT TO REQUIRE AN APPLICANT SEEKING A PERMIT NOT DISCHARGING TO THE SURFACE WATERS OF THE STATE TO PROVIDE NOTICE TO EACH CITY AND COUNTY GOVERNMENT HAVING JURISDICTION OVER THE PROPOSED PERMIT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.1(d) reads as rewritten:

**"§ 143-215.1. Control of sources of water pollution; permits required.**

(d) Applications and Permits for Sewer Systems, Sewer System Extensions and Pretreatment Facilities, Land Application of Waste, and for Wastewater Treatment Facilities Not Discharging to the Surface Waters of the State.

(1) All applications for new permits and for renewals of existing permits for sewer systems, sewer system extensions and for extensions, disposal ~~systems~~systems, and for land application of waste, or treatment works which do not discharge to the surface waters of the State, and all permits or renewals and decisions denying any application for permit or renewal shall be in writing. The Commission shall act on a permit application as quickly as possible. The Commission may conduct any inquiry or investigation it considers necessary before acting on an application and may require an application to submit plans, specifications, and other information the Commission considers necessary to evaluate the application. If the Commission fails to act on an application for a permit, including a

1 renewal of a permit, within 90 days after the applicant submits all  
2 information required by the Commission, the application is considered  
3 to be approved. Permits and renewals issued in approving such  
4 facilities pursuant to this subsection (d) shall be effective until the date  
5 specified therein or until rescinded unless modified or revoked by the  
6 Commission. Local governmental units to whom pretreatment  
7 program authority has been delegated shall establish, maintain, and  
8 provide to the public, upon written request, a list of pretreatment  
9 applications received.

10 (2) The Commission shall not accept an application for a permit to land  
11 dispose petroleum contaminated soil, under this section, unless it is  
12 accompanied by a copy of the written statement from the applicant and  
13 evidence that the statement was sent by certified mail, return receipt  
14 requested notifying each city and county government having  
15 jurisdiction over any part of the proposed project location. The  
16 Commission may consider, in determining whether the location is  
17 suitable, the comments submitted by local governments."

18 Sec. 2. This act is effective upon ratification.