15A NCAC 02T .1303 PERMITTING BY REGULATION

(a) The following systems are deemed permitted pursuant to Rule .0113 of this Subchapter provided the system meets the criteria in Rule .0113 of this Subchapter and all criteria required for the specific system in this Rule:

(1) Systems that do not meet the criteria of an animal operation permitted under Rule .1304 or Rule .1305 of this Subchapter and all other systems not specifically mentioned in this Section. If waste is land applied to land owned by the waste generator or under the waste generators authority, agronomic rates must be met.

(2) Poultry operations which use a dry litter system with more than 30,000 birds and that do not meet the criteria specified in Rule .1305 of this Subchapter if:

(A) records are maintained for three years which include the dates the litter was removed, the estimated amount of litter removed and the location of the sites where the litter was land applied by the poultry operation;

(B) the waste is applied at no greater than agronomic rates;

(C) litter is stockpiled not closer than 100 feet from a perennial stream or perennial waterbody;

(D) litter is not stockpiled uncovered for greater than 15 days; and

(E) if a manure hauler is used, records must be maintained of the dates the litter was removed, the estimated amount of litter removed, and name, address and phone number of the manure hauler.

(3) Land application sites under separate ownership from the waste generator, receiving animal waste from animal waste management systems which are deemed permitted, when all the following conditions are met:

(A) the waste is applied at no greater than agronomic rates; and

(B) a vegetative buffer (separation) of at least 25 feet is maintained from a perennial stream or perennial waterbody.

(b) The Director may determine that a system should not be deemed permitted in accordance with this Rule and Rule .0113 of this Subchapter. This determination shall be made in accordance with Rule .0113(e) of this Subchapter.

History Note: Authority G.S. 143-215.1; 143-215.3(a); 143-215.10A;
Eff. September 1, 2006.