

**15A NCAC 02D .1702 APPLICABILITY**

(a) All existing MSW landfills that meet the following conditions are subject to this Section:

- (1) The landfill has accepted waste at any time since November 8, 1987, or has additional permitted capacity available for future waste deposition and has not been documented as being permanently closed; and
- (2) The landfill was in operation, or construction, reconstruction, or modification was commenced before May 30, 1991.

(b) Physical or operational changes made to an existing MSW landfill solely to comply with an emission standard under this Section are not considered a modification or reconstruction, and do not subject an existing MSW landfill to the requirements of 40 CFR 60, Subpart WWW or 15A NCAC 2D .0524.

*History Note:* Authority G.S. 143-213; 143-215.3(a)(1); 143-215.107(a)(5),(10);  
Eff. July 1, 1998.