15A NCAC 02K .0224 - Additional Requirements for Dams that Impound Coal Combustion Residuals

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DEMLR Dam Safety Rulemaking

• Purpose

• Methodology

• Major Components
Dam Safety CCR Rulemaking Purpose

• Incorporate aspects of EPA’s CCR rules that are either not found in or differ from North Carolina’s Dam Safety Law or Rules.
• Ensure all environmental and public safety aspects of EPA’s CCR rules are incorporated.
Dam Safety CCR Rulemaking Methodology

In developing Proposed Rule Amendments, DEMLR Staff Reviewed/Compared EPA’s Rule with:

- N.C. Dam Safety Law of 1967
- N.C. Dam Safety Administrative Code 15A NCAC 2K
Dam Safety CCR Rulemaking Methodology

• For a given Dam Safety requirement, if the existing NC Law and Administrative Code were equal to or more restrictive than EPA CCR Rule, no need to incorporate in proposed rule.

• If the EPA CCR Rule was more restrictive, we incorporated the EPA language to supersede the existing Dam Safety Rules.

• NOTE: All CCR dams required to adhere to existing NC code and the new CCR rule section.
Major Components of Dam Safety CCR Rule

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Incorporates major components of EPA CCR Rule that are different from existing Rules and Regulations:

- Classification of dam requirements
- Spillway design requirements
- Conduit requirements
- Structural stability and slope protection requirements
- Inspection requirements
**Major Components of Dam Safety CCR Rule**

**Regulatory Impact Analysis:**

<table>
<thead>
<tr>
<th>Government Type</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Government</td>
<td>Minimal Costs</td>
</tr>
<tr>
<td>Local Government</td>
<td>None</td>
</tr>
<tr>
<td>Regulated Utilities</td>
<td>None</td>
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<tr>
<td>Federal Government</td>
<td>None</td>
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<tr>
<td>Substantial economic impact</td>
<td>No</td>
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</tbody>
</table>
Questions and Answers

Additional information on the proposed rule can be found at: https://deq.nc.gov/documents/15a-ncac-02k-0224-additional-requirements-dams-impound-coal-combustion-residual

Comments on the proposed rule should be directed to: Andrew.brooks@ncdenr.gov
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