

1 15A NCAC 02T .1403 is readopted with changes as published in 32:06 NCR 589 as follows:

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3 **15A NCAC 02T .1403 PERMITTING BY REGULATION**

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

6 (1) Manure Hauler that land apply a total of 100 tons or less of animal waste per calendar year if:

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

8 (B) a ~~setback~~ vegetated buffer (separation) of at least 25 feet is maintained from a perennial  
9 stream or perennial waterbody during land application.

10 (2) Manure Hauler that land apply a total of more than 100 tons of animal waste per calendar year if:

11 (A) animal waste is applied at no greater than agronomic rates;

12 (B) animal waste is not stockpiled uncovered for greater than 15 days;

13 (C) animal waste is not stockpiled within 100 feet of a perennial stream or perennial waterbody;

14 (D) a ~~setback~~ vegetated buffer (separation) of at least 25 feet is maintained from a perennial  
15 stream or perennial waterbody during land application;

16 (E) ~~the Manure Hauler registers with the Division by one year from the effective date of this~~  
17 ~~Rule. Manure Hauler that begin operation following the effective date of this Rule~~ must  
18 register with the Division prior to accepting or purchasing ~~manure, manure;~~

19 (F) the Manure Hauler ~~submits an annual report, as specified in this Section, to the Division~~  
20 ~~by March 1 of each year; and [keeps records of land application activity including the date,~~  
21 ~~location and amount of all animal waste received, and the date locations, application rate,~~  
22 ~~acreage, waste analysis, and receiving crops of all animal waste land application; and]~~

23 (G) the field on which animal waste is applied has had a representative Standard Soil Fertility  
24 Analysis within the last three years from a Division certified laboratory pursuant to 15A  
25 NCAC 02H .0800.

26 (b) The Director may determine that a system should not be deemed permitted in accordance with this Rule and Rule  
27 .0113 of this Subchapter. This determination shall be made in accordance with Rule .0113(e) of this Subchapter.

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29 *History Note:* Authority G.S. 143-215.1; 143-215.3(a);

30 *Eff. September 1, 2006-2006;*

31 *Readopted Eff. September 1, 2018.*