

15A NCAC 02H

12/20/2013

Rule Number	Rule Title	Link to Rule	Last Amended	Initial Determination	Rules Conform to or Implement Federal Law?	IF yes--then Federal citation	Authority (From History Notes)	Notes	Staff Contact
POINT SOURCE DISCHARGES TO THE SURFACE WATERS									
15A NCAC 02H .0101	PURPOSE - POINT SOURCES	15A NCAC 02H .0101	August 3, 1992	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1;		Vanessa Manuel
15A NCAC 02H .0102	Scope	15A NCAC 02H .0102	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1; 143-215.3(a)(14);		Vanessa Manuel
15A NCAC 02H .0103	Definition Of Terms	15A NCAC 02H .0103	April 1, 2003	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 106-399.4; 143-215.1(a); 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0104	Repealed - Required Permits	15A NCAC 02H .0104	Repealed Eff. November 1, 1987.	N/A			G.S. 143-215.3(a)(1); 143-215.1(a)		Vanessa Manuel
15A NCAC 02H .0105	Application: Permit Fees: Assessment For New Sources	15A NCAC 02H .0105	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.1(c); 143-215.1(c)(6); 143-215.3(a); 143-215.3B;		Vanessa Manuel
15A NCAC 02H .0106	Filing Applications	15A NCAC 02H .0106	April 1, 2003	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 106-399.4; 143-215.1(c); 143-215.1(b)(3); 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0107	Staff Review And Evaluation	15A NCAC 02H .0107	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 130-161; 143-215.3(a)(1); 143-215.3(a)(4); 143-215.1(a);		Vanessa Manuel
15A NCAC 02H .0108	Fact Sheets	15A NCAC 02H .0108	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(c)(2)(a);		Vanessa Manuel
15A NCAC 02H .0109	Public Notice	15A NCAC 02H .0109	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.1(a)(1); 143-215.1(c); 143-215.4(a); 143-215.4(c);		Vanessa Manuel
15A NCAC 02H .0110	Repealed - Response To Public Notice	15A NCAC 02H .0110	Repealed Eff. November 1, 1987	N/A		CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(c)(3); 143-215.3(a)(3); 143-215.3(a)(4);		Vanessa Manuel
15A NCAC 02H .0111	Meetings And Hearings	15A NCAC 02H .0111	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(c)(1); 143-215.3(a)(3); 143-215.3(a)(4);		Vanessa Manuel

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POINT SOURCE DISCHARGES TO THE SURFACE WATERS									
15A NCAC 02H .0112	Final Action On Permit Applications	15A NCAC 02H .0112	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(c)(4); 143-215.1(b); 143-215.3(a)(3); 143-215.3(a)(4); 143-215.1(c)(5); 143-214.2(a); 143-215; 143-215.2(a);		Vanessa Manuel
15A NCAC 02H .0113	Notification Of Applicants	15A NCAC 02H .0113	October 1, 1987	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(a); 143-215.3(a)(4);		Vanessa Manuel
15A NCAC 02H .0114	Modification And Revocation Of Permits	15A NCAC 02H .0114	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1(b)(3);		Vanessa Manuel
15A NCAC 02H .0115	Public Access	15A NCAC 02H .0115	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.3(a)(2); 143-215.3(a)(4); 132-6; 143-215.65;		Vanessa Manuel
15A NCAC 02H .0116	Emergency Procedures	15A NCAC 02H .0116	December 1, 1984	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(8); 143-215.13(d); 143-215.6(c);		Vanessa Manuel
15A NCAC 02H .0117	Investigations: Monitoring: And Reporting	15A NCAC 02H .0117	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.3(a)(4); 143-215.3(a)(2); 143-215.3(a)(7); 143-215.1(b)(1); 143-215.3(a)(9); 143-215.63;		Vanessa Manuel
15A NCAC 02H .0118	Effluent Limitations And Standards	15A NCAC 02H .0118	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-213(23); 143-215; 143-215.1(b)(1); 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0119	Repealed – Discharges Of 50,000 Gallons Per Day Or Less	15A NCAC 02H .0119	Repealed Eff. December 1, 1984	N/A		CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.3(a)(4);		Vanessa Manuel
15A NCAC 02H .0120	Limitation On Delegation	15A NCAC 02H .0120	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.3(a)(4)		Vanessa Manuel

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POINT SOURCE DISCHARGES TO THE SURFACE WATERS									
15A NCAC 02H .0121	Suspension Of Requirement For State NPDES Permits	15A NCAC 02H .0121	December 1, 1984	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.3(a)(1); 143-215.1; 143B-282		Vanessa Manuel
15A NCAC 02H .0122	Repealed	15A NCAC 02H .0122	Repealed Eff. September 1, 2006.	N/A			G.S. 143-213(24); 143-215; 143-215.1; 143-215.3(a)(1); 143-215.3(a)(1)(4);		Vanessa Manuel
15A NCAC 02H .0123	Repealed	15A NCAC 02H .0123	Repealed Eff. September 1, 2006.	N/A			G.S. 143-213(24); 143-215; 143-215.1; 143-215.3(a)(1); 143-215.3(a)(1)(4);		Vanessa Manuel
15A NCAC 02H .0124	Reliability	15A NCAC 02H .0124	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-214.1; 143-215.1(b); 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0125	Permit Requirements For Peat Mining	15A NCAC 02H .0125	September 1, 1986	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-214.1; 143-215(a); 143-215(b); 143-215.1; 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0126	Stormwater Discharges	15A NCAC 02H .0126	July 3, 2012.	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0127	General Permits	15A NCAC 02H .0127	March 1, 1993	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215(1); 143-215.3(a)(1);		Vanessa Manuel
15A NCAC 02H .0128	Repealed GENERAL PERMIT FOR COOLING WATERS	15A NCAC 02H .0128	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0129	Repealed GENERAL PERMIT FOR MINE DEWATERING FACILITIES	15A NCAC 02H .0129	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0130	Repealed GENERAL PERMIT FOR WATER FILTRATION FACILITIES	15A NCAC 02H .0130	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel

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POINT SOURCE DISCHARGES TO THE SURFACE WATERS									
15A NCAC 02H .0131	Repealed GENERAL PERMIT/SWIMMING POOL FILTER-BACKWASH FACILITIES	15A NCAC 02H .0131	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0132	Repealed GENERAL PERMIT FOR SEAFOOD PACKING FACILITIES	15A NCAC 02H .0132	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0133	Repealed GENERAL PERMIT/OIL STORAGE FACILITIES DISC/WS-III WATERS	15A NCAC 02H .0133	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0134	Repealed GENERAL PERMIT OTHER THAN WS-I; WS-II; OR WS-III	15A NCAC 02H .0134	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0135	Repealed GENERAL PERMIT FOR SAND DREDGES	15A NCAC 02H .0135	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0136	Repealed GENERAL PERMIT FOR TROUT FARMS	15A NCAC 02H .0136	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0137	Repealed GENERAL PERMIT FOR AQUIFER RESTORATIONS	15A NCAC 02H .0137	Repealed Eff. August 1, 1991	N/A			G.S. 143-215; 143-215(1); 143-215(3); 143-215.1; 143-215.3;		Vanessa Manuel
15A NCAC 02H .0138	Authorization To Construct Permits	15A NCAC 02H .0138	Amended Eff. August 1, 2012 (see S.L. 2012-14, 3 s.1.(f))	necessary with substantive public interest	No	CWA Sect 102(a)	G.S. 143-215.1(c)(1);		Vanessa Manuel
15A NCAC 02H .0139	Minimum Design Requirements	15A NCAC 02H .0139	October 1, 1987	necessary with substantive public interest	No	CWA Sect 102(a)	G.S. 143-215.1(c)(1);		Vanessa Manuel

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POINT SOURCE DISCHARGES TO THE SURFACE WATERS									
15A NCAC 02H .0140	Certification Of Completion	15A NCAC 02H .0140	October 1, 1987	necessary with substantive public interest	No	CWA Sect 102(a)	G.S. 143-215.1(c)(1);		Vanessa Manuel
15A NCAC 02H .0141	Operational Agreements	15A NCAC 02H .0141	October 1, 1987	necessary with substantive public interest	No	CWA Sect 102(a)	G.S. 143-215.1(d1);		Vanessa Manuel
15A NCAC 02H .0142	Use/Wastewater Trtmt Works Emgcy Main: Oper/Repair Fund	15A NCAC 02H .0142	August 1, 1988	necessary with substantive public interest		CWA Sect 102(a)	G.S. 143-215.3(a); 143-215.3B(c); 143-215.3B(e);		Vanessa Manuel
15A NCAC 02H .0143	Reserved For Future Codification	15A NCAC 02H .0143		N/A					Vanessa Manuel
15A NCAC 02H .0144	Reserved For Future Codification	15A NCAC 02H .0144		N/A					Vanessa Manuel
15A NCAC 02H .0145	Reserved For Future Codification	15A NCAC 02H .0145		N/A					Vanessa Manuel
15A NCAC 02H .0146	Reserved For Future Codification	15A NCAC 02H .0146		N/A					Vanessa Manuel
15A NCAC 02H .0147	Reserved For Future Codification	15A NCAC 02H .0147		N/A					Vanessa Manuel
15A NCAC 02H .0148	Reserved For Future Codification	15A NCAC 02H .0148		N/A					Vanessa Manuel
15A NCAC 02H .0149	Reserved For Future Codification	15A NCAC 02H .0149		N/A					Vanessa Manuel

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	NONDISCHARGE PERMITS	Rules have been repealed					
15A NCAC 02H .0201	Repealed PURPOSE (See 15A NCAC 02T .0101)	15A NCAC 02H .0201	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0202	Repealed SCOPE (See 15A NCAC 02T .0102)	15A NCAC 02H .0202	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0203	Repealed DEFINITION OF TERMS (See 15A NCAC 02T .0103)	15A NCAC 02H .0203	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0204	Repealed ACTIVITIES WHICH REQUIRE A PERMIT (See 15A NCAC 02T .0104)	15A NCAC 02H .0204	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0205	Repealed APPLICATION: FEES: SUPPORTING- INFORMATION: REQUIREMENTS (See 15A NCAC 02T .0105)	15A NCAC 02H .0205	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0206	Repealed SUBMISSION OF PERMIT APPLICATIONS (See 15A NCAC 02T .0106)	15A NCAC 02H .0206	Repealed Eff. September 1, 2006				G.S. 130A-335; 143-213; 143-215.1; 143-215.3(a); 143-215.3(a)(l); 143-215.3B(b);
15A NCAC 02H .0207	Repealed - Submission Of Permit Application	15A NCAC 02H .0207	Repealed Eff. February 1, 1986				G.S. 143-215.3(a)(1); 143-215.1(d); 143-215.3(a)(4);
15A NCAC 02H .0208	Repealed STAFF REVIEW AND PERMIT PREPARATIONS (See 15A NCAC 02T .0107)	15A NCAC 02H .0208	Repealed Eff. September 1, 2006				G.S. 143-215.1(a); 143-215.1(b); 143-215(1)(d); 143-215.3(a)(1); 143-215.3(a)(4);
15A NCAC 02H .0209	Repealed FINAL ACTION ON PERMIT APPLICATIONS- TO THE DIVISION (See 15A NCAC 02T .0108)	15A NCAC 02H .0209	Repealed Eff. September 1, 2006				G.S. 143-215.1(a); 143-215.1(b); 143-215(1)(d); 143-215.3(a)(1); 143-215.3(a)(4);
15A NCAC 02H .0210	Repealed - Notification Of Applicants	15A NCAC 02H .0210	October 1, 1987				G.S. 143-215.1(a); 143-215.3(a)(4);
15A NCAC 02H .0211	Repealed - PERMIT RENEWALS (See 15A NCAC 02T .0109)	15A NCAC 02H .0211	Repealed Eff. September 1, 2006				G.S. 143-215.3(e)(l);
15A NCAC 02H .0212	Repealed - Administrative Hearings	15A NCAC 02H .0212	Repealed Eff. August 1, 1988				G.S. 143-215.3(a)(1); 143-215.4; 143-215.1(e);
15A NCAC 02H .0213	Repealed - Modification And Revocation Of Permits (See 15A NCAC 02T .0110)	15A NCAC 02H .0213	Repealed Eff. September 1, 2006.				G.S. 143-215.3(a)(1); 143-215.1(b)(2);
15A NCAC 02H .0214	Repealed - Investigations: Monitoring And Reporting	15A NCAC 02H .0214	Repealed Eff. October 1, 1987.				G.S. 143-215.3(a); 143-215.1(b);
15A NCAC 02H .0215	Repealed - Delegation Of Authority (See 15A NCAC 02T .0112)	15A NCAC 02H .0215	Repealed Eff. September 1, 2006.				G.S. 143-215.3(a)(1); 143-215.3(a)(4);
15A NCAC 02H .0216	Repealed - Limitation On Delegation	15A NCAC 02H .0216	Repealed Eff. February 1, 1986.				G.S. 143-215.3(a)(1); 143-215.9(d); 143-215.3(a)(4);

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	NONDISCHARGE PERMITS	Rules have been repealed					
15A NCAC 02H .0217	Repealed - Permitting By Regulation (See 15A NCAC 02T .0113)	15A NCAC 02H .0217	Repealed Eff. September 1, 2006.				G.S. 130A-300; 143-215.1(a)(l); 143-215.3(a),(d);
15A NCAC 02H .0218	Repealed - Local Programs For Sewer Systems	15A NCAC 02H .0218	Repealed Eff. September 1, 2006.				G.S. 143-215.1; 143-215.3(a)(l);
15A NCAC 02H .0219	Repealed MINIMUM DESIGN CRITERIA	15A NCAC 02H .0219	Repealed Eff. September 1, 2006.				G.S. 143-215.1; 143-215.1(d)(1); 143-215.3(a); 143-215.3(a)(1); 143-215.3B(c); 143-215.3B(e);
15A NCAC 02H .0220	Repealed CERTIFICATION OF COMPLETION (SEE 15A NCAC 02T .0116)	15A NCAC 02H .0220	Repealed Eff. September 1, 2006.				G.S. 143-215.1; 143-215.1(d)(1); 143-215.3(a); 143-215.3(a)(1); 143-215.3B(c); 143-215.3B(e);
15A NCAC 02H .0221	Repealed OPERATIONAL AGREEMENTS (SEE 15A NCAC 02T .0116)	15A NCAC 02H .0221	Repealed Eff. September 1, 2006.				G.S. 143-215.1; 143-215.1(d)(1); 143-215.3(a); 143-215.3(a)(1); 143-215.3B(c); 143-215.3B(e);
15A NCAC 02H .0222	Repealed - The Wastewater Treatment Works Emergency Fund	15A NCAC 02H .0222	Repealed Eff. September 1, 2006				G.S. 143-215.3(a); 143-215.3B(c); 143-215.3B(e);
15A NCAC 02H .0223 - .0224	Repealed	15A NCAC 02H .0223 - .0224	Repealed Eff. September 1, 2006.				G.S. 143-215.3
15A NCAC 02H .0223	Demonstration Of Future Wastewater Treatment Capacities	15A NCAC 02H .0223	Amended Eff. February 1, 1994				G.S. 143-215.3
15A NCAC 02H .0224	Treatment Facility Operation And Maintenance	15A NCAC 02H .0224	Eff. February 1, 1993				G.S. 143-215.3
15A NCAC 02H .0225	Repealed - Conditions For Issuing General Permits (See 15A NCAC 02T .0111)	15A NCAC 02H .0225	Repealed Eff. September 1, 2006.				G.S. 143-215.1; 143-215.3(a)(l); 143-215.10C
15A NCAC 02H .0226	Innovative Animal Waste Operation Permits For Swine Operations	15A NCAC 02H .0226	Temporary Adoption Expired May 11, 1999				G.S. 143-215.1; 143-215.10C; Clean Water Responsibility And Environmentally Sound Policy Act, S.L. 1997 c. 458;
15A NCAC 02H .0227	Repealed - System-Wide Collection System Permitting (See 15A NCAC 02T .0400)	15A NCAC 02H .0227	Repealed Eff. September 1, 2006.				G.S. 143-215.1(a); 143-215.3(a),(d); NC Clean Water Act of 1999; S.L. 1999 c. 329;

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	SECTION .0300 - SEPTIC TANK SYSTEMS		Repealed					
15A NCAC 02H .0301	SCOPE	15A NCAC 02H .0301	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
15A NCAC 02H .0302	TECHNICAL GUIDE FOR EVALUATION OF SOIL	15A NCAC 02H .0302	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
15A NCAC 02H .0303	INTERPRETATION AND TECHNICAL	15A NCAC 02H .0303	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
15A NCAC 02H .0304	TABLE NO. I	15A NCAC 02H .0304	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
15A NCAC 02H .0305	TABLE NO. II	15A NCAC 02H .0305	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;
15A NCAC 02H .0306	APPLICABILITY; VIOLATIONS	15A NCAC 02H .0306	Repealed Eff. April 1, 1994.					G.S. 130A-160; 130A-335; 143-215.1; 143-215.6;

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COASTAL WASTE TREATMENT DISPOSAL									
15A NCAC 02H .0401	Statement Of Policy	15A NCAC 02H .0401	Eff. February 1, 1976.	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0402	Applicability	15A NCAC 02H .0402	Amended Eff. September 13, 1981	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0403	Definition Of Coastal Areas	15A NCAC 02H .0403	Amended Eff. September 13, 1981.	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0404	Facility Location And Design	15A NCAC 02H .0404	Amended Eff. November 1, 1986	necessary with substantive public interest	Yes	CWA Sec 102(a) 40 CFR 124-120-124	G.S. 143-211; 143-214.2(c); 143-215; 143-215.1(a);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0405	Privately Owned Installations	15A NCAC 02H .0405	Amended Eff. September 13, 1981	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0406	Publicly Owned Sewerage Facilities	15A NCAC 02H .0406	September 13, 1981	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0407	Exceptions From Requirements	15A NCAC 02H .0407	Eff. February 1, 1976	necessary with substantive public interest	Yes	CWA Sec 102(a)	G.S. 143-215.3(a)(1); 143-211; 143-215.1(a); 143-215.1(b)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0408	Repealed - Disposal Of Stormwater	15A NCAC 02H .0408	Repealed Eff. January 1, 1988.	N/A	N/A		G.S. 143-214.1; 143-215.3(a)(1);		Nathaniel Thornburg, Mike Templeton
15A NCAC 02H .0409	Repealed - Trial Implementation Period/Coastal Stormwater Controls	15A NCAC 02H .0409	Repealed Eff. January 1, 1988	N/A	N/A		G.S. 143-215.3(a)(1);		Nathaniel Thornburg, Mike Templeton

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WATER QUALITY CERTIFICATION									
15A NCAC 02H .0501	Purpose	15A NCAC 02H .0501	October 1, 1996.	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215.3(c); 143B-282(1)(u);	Under 401 of the Clean Water Act, a federal agency cannot issue a permit or license for an activity that may result in a discharge to waters of the U.S. until the state or tribe where the discharge would originate has granted or waived 401 certification	Karen Higgins,Cyndi Karoly
15A NCAC 02H .0502	Application	15A NCAC 02H .0502	October 1, 1996	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215(c); 143B-282(1)(u);		Karen Higgins,Cyndi Karoly
15A NCAC 02H .0503	Public Notice	15A NCAC 02H .0503	October 1, 1996	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215(c); 143B-282(1)(u);		Karen Higgins,Cyndi Karoly
15A NCAC 02H .0504	Hearing	15A NCAC 02H .0504	October 1, 1996	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215(c); 143B-282(1)(u);		Karen Higgins,Cyndi Karoly
15A NCAC 02H .0505	Repealed-- Delegations	15A NCAC 02H .0505	Repealed Eff. December 1, 1984	N/A	N/A		G.S. 143-215.3(a)(1); 143-215.3(c);		Karen Higgins,Cyndi Karoly
15A NCAC 02H .0506	Review Of Applications	15A NCAC 02H .0506	October 1, 1996	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215.3(c); 143B-282(1)(u);		Karen Higgins,Cyndi Karoly
15A NCAC 02H .0507	Issuance Of Certification	15A NCAC 02H .0507	October 1, 1996	necessary with substantive public interest	Yes	CWA 401(a)(1); 33 USC1341(a)(1).	G.S. 143-215.3(a)(1); 143-215.3(c); 143B-282(1)(u);		Karen Higgins,Cyndi Karoly

15A NCAC 02H

Rule Number	Rule Title	Link to Rule	Last Amended	Initial Determination	Rules Conform to or Implement Federal Law?	IF yes--then Federal citation	Authority (From History Notes)
	Section 600 and section 700 REPEALED - Air Quality and Dam Safety Approvals						
15A NCAC 02H .0601	PURPOSE AND SCOPE	15A NCAC 02H .0601	Repealed Eff. July 1, 1994				G.S. 143-213; 143-215.3(a)(1), (4); 143-215.108; 143-215.109; 143-215.114
15A NCAC 02H .0602	DEFINITIONS	15A NCAC 02H .0602	"				"
15A NCAC 02H .0603	APPLICATIONS	15A NCAC 02H .0603	"				"
15A NCAC 02H .0604	FINAL ACTION ON PERMIT APPLICATIONS	15A NCAC 02H .0604	"				"
15A NCAC 02H .0605	ISSUANCE; REVOCATION; AND ENFORCEMENT OF PERMITS	15A NCAC 02H .0605	"				"
15A NCAC 02H .0606	DELEGATION OF AUTHORITY	15A NCAC 02H .0606	"				"
15A NCAC 02H .0607	REPEALED - COPIES OF REFERENCED DOCUMENTS	15A NCAC 02H .0607	Repealed Eff. July 1, 1994				G.S. 150B-21.6
15A NCAC 02H .0608	REPEALED - PERMITS FOR SOURCES IMPACTING NONATTAINMENT AREAS	15A NCAC 02H .0608	Repealed Eff. June 1, 1981.				G.S. 143-215.3(a)(1); 143-215.107(a)(5);
15A NCAC 02H .0609	REPEALED - PERMIT FEES	15A NCAC 02H .0609	Repealed Eff. January 1, 1995.				G.S. 143-215.3(a)(1),(1a),(1b);
15A NCAC 02H .0610	REPEALED - PERMIT REQUIREMENTS FOR TOXIC AIR POLLUTANTS	15A NCAC 02H .0610	Repealed Eff. April 1, 1999				G.S. 143-215.3(a)(1); 143-215.108; 143B-282; S.L. 1989, c. 168, s. 45;
	SECTION .0700 - DAM SAFETY APPROVALS						
15A NCAC 02H .0701	PURPOSE	15A NCAC 02H .0701	Repealed Eff. June 15, 1980				G.S. 143-215.3(a)(4); 143-215.26 through 143-215.30;
15A NCAC 02H .0702	DEFINITION OF TERMS	15A NCAC 02H .0702	"				"
15A NCAC 02H .0703	PROCEDURES FOR OBTAINING APPROVAL	15A NCAC 02H .0703	"				"
15A NCAC 02H .0704	APPLICATION AND SUPPLEMENTAL INFORMATION	15A NCAC 02H .0704	"				"
15A NCAC 02H .0705	STANDARDS FOR IMPOSITION OF CONDITIONS ON APPROVAL	15A NCAC 02H .0705	"				"
15A NCAC 02H .0706	STANDARDS FOR COMMENCEMENT; SUPERVISION AND COMPLETION	15A NCAC 02H .0706	"				"
15A NCAC 02H .0707	STANDARDS FOR REVOKING; DENYING; MODIFYING APPROVAL	15A NCAC 02H .0707	"				"
15A NCAC 02H .0708	DELEGATION OF AUTHORITY	15A NCAC 02H .0708	"				"

15A NCAC 02H

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LABORATORY CERTIFICATION	The North Carolina Wastewater/Groundwater Laboratory Certification (NC WW/GW LC) program ensures the quality of analytical data used for regulatory purposes by various programs within the Department of Environment and Natural Resources (DENR). Laboratory certification provides confidence that permit limits and in-stream standards are being met, reducing the probability of pollution and lawsuits against the State and regulated community; thereby, protecting North Carolina's waters and its citizens. The EPA requires States to participate in the Discharge Monitoring Report-Quality Assurance (DMR-QA) Proficiency Testing program to ensure data accuracy. Our program has been deemed equivalent to the DMR-QA Proficiency Testing program so our NC permittees do not have to participate in the Federal program.						Clean Water Act, 33 USC 1251 - 1387, and implementing regulation, 40 CFR Part 122 EPA Administered Permit Programs: The National Pollutant Discharge Elimination System , and 40 CFR Part 136 Guidelines for Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures; Final Rule		
15A NCAC 02H .0801	Purpose	15A NCAC 02H .0801	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0802	Scope	15A NCAC 02H .0802	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0803	Definitions	15A NCAC 02H .0803	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0804	Parameters For Which Certification May Be Requested	15A NCAC 02H .0804	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0805	Certification And Renewal Of Certification	15A NCAC 02H .0805	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0806	Fees Associated With Certification Program	15A NCAC 02H .0806	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.6A		Dana Satterwhite
15A NCAC 02H .0807	Decertification And Civil Penalties	15A NCAC 02H .0807	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.6A		Dana Satterwhite
15A NCAC 02H .0808	Recertification	15A NCAC 02H .0808	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0809	Reciprocity	15A NCAC 02H .0809	November 2, 1992	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite
15A NCAC 02H .0810	Administration	15A NCAC 02H .0810	August 1, 2002	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 150B-23;		Dana Satterwhite
15A NCAC 02H .0811	Repealed Implementation	15A NCAC 02H .0811	Repealed Eff. July 1, 1988.	N/A	N/A		G.S. 143-215.3(a)(1); 143-215.3(a)(10);		Dana Satterwhite

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LOCAL PRETREATMENT									
15A NCAC 02H .0901	PURPOSE	15A NCAC 02H .0901	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.1	G.S. 143-215.3(a)(14);		Deborah Gore
15A NCAC 02H .0902	Scope	15A NCAC 02H .0902	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.1	G.S. 143-215.3(a)(14);		Deborah Gore
15A NCAC 02H .0903	Definition Of Terms	15A NCAC 02H .0903	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.8	G.S. 130A-334(13); 143-215.3(a)(1); 143-215.3(a)(14);150B-21.6;		Deborah Gore
15A NCAC 02H .0904	Required Pretreatment Programs	15A NCAC 02H .0904	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.8	G.S. 143-215.1(a); 143-215.1(b); 143-215.3(a)(14); 150B-21.6;		Deborah Gore
15A NCAC 02H .0905	POTW Pretreatment Program Implementation Requirements	15A NCAC 02H .0905	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.5; 40 CFR 403.8; 40 CFR 403.9; 40 CFR 403.12	G.S. 143-215.1(a); 143-215.1(b); 143-215.3(a)(1); 143-215.3(a)(14); 150B-21.6; 153A-274; 153A-275; 160A-311; 160A-312;		Deborah Gore
15A NCAC 02H .0906	Submission For Pretreatment Program Approval	15A NCAC 02H .0906	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.5; 40 CFR 403.8; 40 CFR 403.9; 40 CFR 403.12	G.S. 143-215.1(a); 143-215.1(b); 143-215.3(a)(1); 143-215.3(a)(14); 150B-21.6;		Deborah Gore
15A NCAC 02H .0907	Procedures For Pretreatment Program Approval, Revision And Withdrawal	15A NCAC 02H .0907	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.11; 40 CFR 403.18	G.S. 143-215(a); 143-215.1(a); 143-215.1(c); 143-215.3(a)(3) ; 143-215.3(a)(14); 143-215.3(e); 150B-21.6		Deborah Gore
15A NCAC 02H .0908	Reporting/Record Keeping Requirements For Potws/Industrial Users	15A NCAC 02H .0908	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.8; 40 CFR 403.12	G.S. 143-215.1(a); 143-215.1(b); 143-215.2; 143-215.3(a)(2); 143-215.3(a)(14); 143-215.6(a)(1); 143-215.63 through 143-215.69; 150B-21.6		Deborah Gore

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LOCAL PRETREATMENT									
15A NCAC 02H .0909	National Pretreatment Standards: Prohibited Discharges	15A NCAC 02H .0909	March 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.5	G.S. 143-215.1(a)(7); 143-215.1(b); 143-215.3(a)(1); 143-215.3(a)(14); 150B-21.6		Deborah Gore
15A NCAC 02H .0910	National Pretreatment Standards: Categorical Standards	15A NCAC 02H .0910	March 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.6	G.S. 143-215.1(a)(7); 143-215.1(b); 143-215.3(a)(14); 150B-21.6		Deborah Gore
15A NCAC 02H .0911	Repealed - Revision To Reflect Potw Removal Of Pollutant	15A NCAC 02H .0911	Repealed Eff. October 1, 1987	N/A	N/A		G.S. 143-215.1(a),(b); 143-215.3(a)(14)		Deborah Gore
15A NCAC 02H .0912	Adjustments For Fundamentally Different Factors	15A NCAC 02H .0912	March 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.13	G.S. 143-215(a); 143-215.1(a); 143-215.1(b); 143-215.3(a)(14); 143-215.3(e); 150B-21.6;		Deborah Gore
15A NCAC 02H .0913	Public Access To Information	15A NCAC 02H .0913	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.14	G.S. 132-1.2; 132-6; 132-9; 143-215.1; 143-215.3; 143-215.3C;		Deborah Gore
15A NCAC 02H .0914	Upset Provision	15A NCAC 02H .0914	March 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.16	G.S. 143-215.3(a)(1); 143-215.3(a)(14); 150B-21.6		Deborah Gore
15A NCAC 02H .0915	Net/Gross Calculation	15A NCAC 02H .0915	March 1, 2011	necessary with substantive public interest	Yes	41 CFR 403.15	G.S. 143-215.3(a)(1); 143-215.3(a)(14); 150B-21.6;		Deborah Gore
15A NCAC 02H .0916	Pretreatment Permits	15A NCAC 02H .0916	April 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.8	G.S. 143-215(a); 143-215.1(a); 143-215.1(c); 143-215.1(g); 143-215.3(a)(3); 143-215.3(a)(14); 143-215.3(e);		Deborah Gore
15A NCAC 02H .0917	Pretreatment Permit Submission And Review	15A NCAC 02H .0917	April 1, 2011	necessary with substantive public interest	No		G.S. 143-215(a); 143-215.1(a); 143-215.1(c); 143-215.3(a)(3) ; 143-215.3(a)(14); 143-215.3(e);		Deborah Gore

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LOCAL PRETREATMENT									
15A NCAC 02H .0918	Local Law	15A NCAC 02H .0918	November 1, 1994	necessary with substantive public interest	Yes	40 CFR 403.4	G.S. 143-215.1(a), (b); 143-215.3(a)(1), (14); 153A-274; 153A-275		Deborah Gore
15A NCAC 02H .0919	Bypass	15A NCAC 02H .0919	March 1, 2011	necessary with substantive public interest	Yes	41 CFR 403.17	G.S. 143-215.1(a)(1); 143-215.3(a)(14); 150B-21.6;		Deborah Gore
15A NCAC 02H .0920	Pretreatment Facility Operation And Maintenance	15A NCAC 02H .0920	April 1, 2011	necessary with substantive public interest	No		G.S. 143-215.3		Deborah Gore
15A NCAC 02H .0921	Revision To Reflect Potw Removal Of Pollutant	15A NCAC 02H .0921	March 1, 2011	necessary with substantive public interest	Yes	40 CFR 403.7	G.S. 143-215.1(a); 143-215.1(b); 143-215.3(a)(14); 150B-21.6;		Deborah Gore
15A NCAC 02H .0922	Hearings	15A NCAC 02H .0922	April 1, 2011	necessary with substantive public interest	No		G.S. 143-215(a); 143-215.1(a); 143-215.1(c); 143-215.1(g); 143-215.2(b); 143-215.3(a)(3); 143-215.3(a)(14); 143-214.3(e); 143-215.6A(j); 143-215.6A(k); 153A-123; 160A-175; 162A-9.1; 162A-81		Deborah Gore

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STORMWATER MANAGEMENT									
15A NCAC 02H .0150	Definitions	15A NCAC 02H .0150	July 3, 2012.	necessary with substantive public interest	Yes	CWA Section 101(a), 402; 40CFR 122.21, 122.26, 122.28-122.37	G.S. 143-213; 143-214.1; 143-214.7; 143-215.3(a)(1);	DEMLR	Bradley Bennett
15A NCAC 02H .0151	Designation And Petition Process	15A NCAC 02H .0151	July 3, 2012	necessary with substantive public interest	Yes	CWA Section 101(a), 402; 40CFR 122.21, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1);	DEMLR	Bradley Bennett
15A NCAC 02H .0152	Development In Urbanizing Areas	15A NCAC 02H .0152	July 1, 2013	necessary with substantive public interest	Yes	CWA Section 101(a), 402; 40CFR 122.21, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1); S.L. 2011-220;	DEMLR	Bradley Bennett
15A NCAC 02H .0153	Program Implementation	15A NCAC 02H .0153	July 3, 2012	necessary with substantive public interest	Yes	CWA Section 101(a), 402; 40CFR 122.21, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1);	DEMLR	Bradley Bennett
15A NCAC 02H .0154	Post-Construction Practices	15A NCAC 02H .0154	July 3, 2012	necessary with substantive public interest	Yes	CWA Section 101(a), 402; 40CFR 122.21, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1);	DEMLR	Bradley Bennett
15A NCAC 02H .1001	Stormwater Management Policy	15A NCAC 02H .1001	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143-214.1; 143-214.7; 143-215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1002	Definitions	15A NCAC 02H .1002	August 1, 2012	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143-213; 143-214.1; 143-214.7; 143-215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1003	Stormwater Management: Coverage: Application: Fees	15A NCAC 02H .1003	December 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.1(d); 143 215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1004	Repealed - Statewide Stormwater Guidelines	15A NCAC 02H .1004	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.3(a)(1); 143 215.8A	DEMLR	Bradley Bennett
15A NCAC 02H .1005	Stormwater Requirements: Coastal Counties	15A NCAC 02H .1005	March 1, 2013	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1006	Stormwater Requirements: High Quality Waters	15A NCAC 02H .1006	December 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1007	Stormwater Requirements: Outstanding Resource Waters	15A NCAC 02H .1007	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1008	Design Of Stormwater Management Measures	15A NCAC 02H .1008	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 214.1; 143 214.7; 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1009	Staff Review And Permit Preparation	15A NCAC 02H .1009	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143-215.1; 143-215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1010	Final Action On Permit Applications To The Division	15A NCAC 02H .1010	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett

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	STORMWATER MANAGEMENT								
15A NCAC 02H .1011	Modification And Revocation Of Permits	15A NCAC 02H .1011	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1012	Delegation Of Authority	15A NCAC 02H .1012	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1013	General Permits	15A NCAC 02H .1013	September 1, 1995	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143 215.1; 143 215.3(a)	DEMLR	Bradley Bennett
15A NCAC 02H .1014	Stormwater Management For Urbanizing Areas	15A NCAC 02H .1014	July 3, 2012	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1015	Urbanizing Area Definitions	15A NCAC 02H .1015	July 3, 2012	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1016	Development In Urbanizing Areas	15A NCAC 02H .1016	July 1, 2013	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1); S.L. 2011-220	DEMLR	Bradley Bennett
15A NCAC 02H .1017	Post-Construction Practices	15A NCAC 02H .1017	July 3, 2012	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12, 122.26, 122.28-122.37	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)(1)	DEMLR	Bradley Bennett
15A NCAC 02H .1020	Universal Stormwater Management Program	15A NCAC 02H .1020	January 1, 2007	necessary with substantive public interest	Yes	CWA; 40 CFR 131.10, 131.12	G.S. 143-214.1; 143-214.7; 143-215.1; 143-215.3(a)	DEMLR	Bradley Bennett

15A NCAC 02H

Rule Number	Rule Title	Link to Rule	Last Amended	Initial Determination	Rules Conform to or Implement Federal Law?	IF yes--then Federal citation	Authority (From History Notes)	Notes	Staff Contact
BIOLOGICAL LABORATORY CERTIFICATION		Ensuring the quality of biological data that is used for regulatory purposes is vital to the public interest as it provides confidence that permit limits and instream standards are being met, reducing the probability of pollution and lawsuits against the State and regulated community. North Carolina has instituted a certification program to have a fair and equitable minimal rule for all certified labs to follow. The EPA requires States to participate in the Discharge Monitoring Report-Quality Assurance (DMR-QA) Proficiency Testing program to ensure data accuracy. Our program has been deemed equivalent to the DMR-QA Proficiency Testing program so our NC permittees do not have to participate in the Federal program.					Clean Water Act, 33 USC 1251 - 1387, and implementing regulation, 40 CFR 122 EPA Administered Permit Programs: The National Pollutant Discharge Elimination System		
15A NCAC 02H .1101	Purpose	15A NCAC 02H .1101	March 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1102	Scope	15A NCAC 02H .1102	October 1, 1988	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1103	Definitions	15A NCAC 02H .1103	April 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1104	Fees Associated With Certification Program	15A NCAC 02H .1104	October 1, 1988	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1105	Certification	15A NCAC 02H .1105	October 1, 1988	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(1)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1106	Decertification	15A NCAC 02H .1106	March 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1107	Recertification	15A NCAC 02H .1107	March 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1108	Reciprocity	15A NCAC 02H .1108	March 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1109	Administration	15A NCAC 02H .1109	March 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1110	Implementation	15A NCAC 02H .1110	October 1, 1993	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore
15A NCAC 02H .1111	Biological Laboratory Cert/Criteria Procedures Document	15A NCAC 02H .1111	October 1, 1988	necessary with substantive public interest	Yes	40 CFR Part 122/40 CFR Part 136	G.S. 143-215.3(a)(1); 143-215.3(a)(10); 143-215.66		Cindy Moore

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	SPECIAL ORDERS								
15A NCAC 02H .1201	Purpose	15A NCAC 02H .1201	October 1, 1990.	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.2; 143-215.3(a)(1); 143-215.110;	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy
15A NCAC 02H .1202	Definitions	15A NCAC 02H .1202	October 1, 1990.	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-212; 143-213; 143-215.2; 143-215.3(a)(1); 143-215.110;	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy
15A NCAC 02H .1203	Public Notice	15A NCAC 02H .1203	August 3, 1992	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.2; 143-215.3(a)(1); 143-215.3(a)(3); 143-215.3(a); 143-215.110	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy
15A NCAC 02H .1204	Final Action On Special Orders By Consent	15A NCAC 02H .1204	October 1, 1990.	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.2; 143-215.3(a)(1); 143-215.3(a)(4); 143-215.110	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy
15A NCAC 02H .1205	Action On Special Orders Issued Without Consent	15A NCAC 02H .1205	August 3, 1992	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.2(b); 143-215.3(a)(1); 143-215.110(b);	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy
15A NCAC 02H .1206	Water Quality Special Orders By Consent	15A NCAC 02H .1206	August 3, 1992	necessary with substantive public interest	Yes	CWA Sect 102(a)	G.S. 143-215.2; 143-215.3(a)(1);	EPA requires formal enforcement orders (1989 Enforcement Management Strategy)	John Hennessy

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DISCHARGES TO ISOLATED WETLANDS AND ISOLATED WATERS									
15A NCAC 02H .1301	Scope And Purpose	15A NCAC 02H .1301	April 1, 2003	necessary with substantive public interest	No		G.S. 143-215.1(a)(6); 143-215.3(a)(1); 143-215.3(c);		Karen Higgins, Cyndi Karoly
15A NCAC 02H .1302	Application Process	15A NCAC 02H .1302	April 1, 2003	necessary with substantive public interest	No		G.S. 143-214.1; 143-215.1(a)(6); 143-215.3(a)(1);		Karen Higgins, Cyndi Karoly
15A NCAC 02H .1303	Public Notice And Public Hearing	15A NCAC 02H .1303	April 1, 2003	necessary with substantive public interest	No		G.S. 143-215.1(a)(6); 143-215.3(a)(1); 143-215.3(a)(1e); 143-215.3(c);		Karen Higgins, Cyndi Karoly
15A NCAC 02H .1304	Decision On Application For Permits Or Certificates Of Coverage	15A NCAC 02H .1304	April 1, 2003	necessary with substantive public interest	No		G.S. 143-215.1(a)(6); 143-215.1(b); 143-215.3(a)(1); 143-215.3(c);		Karen Higgins, Cyndi Karoly
15A NCAC 02H .1305	Review Of Applications	15A NCAC 02H .1305	August 1, 2012 (see S.L. 2012-143, s.1.(f)).	necessary with substantive public interest	No		G.S. 143-215.1(a)(6); 143-215.3(a)(1); 143-215.3(c);		Karen Higgins, Cyndi Karoly