

1 15A NCAC 07J .0208 is adopted under emergency procedures as follows:

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3 **15A NCAC 07J .0208 PERMIT CONDITIONS**

4 (a) In compliance with G.S. 113A-120(a)(4) and G.S. 113A-120(a)(2), each of the State, federal and local reviewing
5 agencies may submit specific recommendations regarding the manner in which the proposed development should be
6 accomplished including limitations on the development in order to protect the public interest with respect to the factors
7 enumerated in G.S. 113A-113(b)(1-9) and 113-229(e)(1-5). The State, federal and local reviewing agencies also may
8 submit specific recommendations regarding limitations to be placed on the operation and maintenance of the
9 completed project, to ensure continued protection of the public interest with respect to those factors. Such limitations
10 may be imposed by the Department on the project in the form of "permit conditions". Upon the failure of the applicant
11 to appeal a permit condition, the applicant shall be deemed to have amended his permit to conform to the conditions
12 imposed by the Department. Compliance with operational and maintenance conditions shall continue for the life of
13 the project.

14 (b) The local permit officer may condition a minor development permit upon amendment of the proposed project to
15 protect the public interest with respect to the factors enumerated in G.S. 113A-120. The applicant shall sign the
16 conditioned permit as an indication of amendment of the proposed project in a manner consistent with the conditions
17 set out by the local permit officer before the permit shall become effective.

18 (c) Failure to comply with permit conditions constitutes a violation of an order of the Commission under G.S.
19 113A-126.

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21 History Note: Authority G.S. 113-229; 113A-120(b); 113A-124(a)(1); 113A-127;
22 Emergency Adoption Eff. January 1, 2023.