

1 15A NCAC 02T .1309 is adopted with changes as published in 23:03 NCR 197 as follows:

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3 **15A NCAC 02T .1309 LAGOON CONVERSION REQUIREMENTS**

4 (a) This Rule applies to existing animal waste management systems that convert from anaerobic lagoons as the
5 primary method of treatment to an animal waste management system that meets the requirements of Rule .1307
6 of this Section, and have not expanded the steady-state live weight of the swine farm.

7 (b) Upon approval by the Division, a permittee may abandon and close out an animal waste management
8 system permitted under Rules .1307 and .1308 of this Section and revert to the requirements of Rule .1304 or
9 .1305 of this Section. The Division shall approve the reversion if all of the following criteria are met:

- 10 (1) The animal waste management system is constructed according to the design and
11 specifications approved by the Division according to the rules in this section;
12 (2) The animal waste management system is operated and maintained in accordance with the
13 rules in this Section;
14 (3) The permit for the anaerobic lagoon animal waste management system issued prior to 1
15 September 2007 pursuant to Session Law 2007-523(1)(b) remains valid; and
16 (4) The anaerobic lagoon animal waste management system has been maintained and can operate
17 in compliance with the requirements of its permit.

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19 *History Note:* Authority G.S. 143-215.1; 143-215.3(a); 143-215.10A; 143-215.10I;
20 *Eff. January 1, 2009.*