15A NCAC 02Q .0113 NOTIFICATION IN AREAS WITHOUT ZONING

(a) State and local governments are exempt from this Rule.

(b) Before a person submits a permit application for a new or expanded facility in an area without zoning, he shall provide public notification as setout in this Rule.

(c) A person covered under this Rule shall publish a legal notice as specified in Paragraph (d) of this Rule and shall post a sign as specified in Paragraph (f) of this Rule.

(d) A person covered under this Rule shall publish a legal notice in a newspaper of general circulation in the area where the source is or will be located at least two weeks before submitting the permit application for the source. The notice shall identify:

(1) the name of the affected facility;
(2) the name and address of the permit applicant; and
(3) the activity or activities involved in the permit action;

(e) The permit applicant shall submit with the permit application an affidavit and proof of publication that the legal notice required under Paragraph (d) of this Rule was published.

(f) A person covered under this Rule shall post a sign on the property where the new or expanded source is or will be located. The sign shall meet the following specifications:

(1) It shall be at least six square feet in area;
(2) It shall be set off the road right-of-way, but no more than 10 feet from the road right-of-way.
(3) The bottom of the sign shall be at least six feet above the ground;
(4) It shall contain the following information:
    (A) the name of the affected facility;
    (B) the name and address of the permit applicant; and
    (C) the activity or activities involved in the permit action;
(5) Lettering shall be a size that the sign can be read by a person with 20/20 vision standing in the center of the road; and
(6) The side with the lettering shall face the road, and sign shall be parallel to the road.

The sign shall be posted at least 10 days before the permit application is submitted and shall remain posted for at least 30 days after the application is submitted.

History Note: Authority G.S. 143-215.3(a)(1); 143-215.108;
Eff. April 1, 2004.