



- 1 (1) One hundred eighty days prior to beginning closure of the final permitted  
2 landfill unit, an owner or operator of a construction and demolition debris  
3 landfill facility (C&DLF) or a municipal solid waste landfill facility  
4 (MSWLF) shall submit to the Department's Division of Waste Management  
5 (Division) a notice of intent to close the final unit (notice of closure), in  
6 writing, and place a copy of the notice of closure in the facility's operating  
7 record. The notice of closure shall include the anticipated date that the facility  
8 will cease waste acceptance and a statement identifying the plans that were  
9 incorporated into the permit that the owner or operator will comply with  
10 during the closure and post-closure care period. The notice of closure shall  
11 include the dates that the plans were incorporated into the facility's permit and  
12 the file identification numbers that were assigned by the Division to the files  
13 containing these plans. If the owner or operator determines that updates or  
14 revisions to the plans are necessary, the owner or operator shall submit any  
15 changes to the plans to the Division as a permit modification.
- 16 (2) An owner and operator of a C&DLF or MSWLF shall not be required to  
17 submit a permit application for the Division to issue a permit for closure and  
18 post-closure care of a landfill. The Division shall issue a permit for closure  
19 and post-closure care that incorporates the plans identified in the notice of  
20 closure submitted pursuant to subdivision (1) of this subsection. Owners or  
21 operators that closed all waste disposal units at the landfill prior to the date  
22 this bill becomes law shall not be required to submit a notice of closure  
23 pursuant to subdivision (1) of this subsection. If a closure and post-closure  
24 care permit has not already been issued for these facilities prior to the date this  
25 bill becomes law, the Division shall issue a permit for closure and post-closure  
26 care that incorporates the plans for closure and post-closure care that were  
27 included in the most recent permit to operate issued for the facility.
- 28 (3) An application for an amendment to a permit for a C&DLF or MSWLF  
29 submitted solely for a change in ownership or corporate structure shall include  
30 all of the following information:
- 31 a. A description of the proposed ownership change including affected  
32 facilities and associated permit numbers, the schedule for the proposed  
33 change in ownership or corporate structure, and contact name and  
34 information for the proposed or new owner or operator.
  - 35 b. Any changes to the facility name, property owner, facility operator, or  
36 billing contact names and contact information.
  - 37 c. If the property owner has changed or will change as a part of the  
38 change to ownership or corporate structure, a copy of the recorded  
39 property deed for the new property owner.
  - 40 d. For an applicant that is not a federal, State, or local government, an  
41 organization chart showing the ownership structure of the proposed or  
42 new owner or operator, which shall be a business entity registered with  
43 the North Carolina Secretary of State.
  - 44 e. An environmental compliance history for the applicant in accordance  
45 with G.S. 130A-295.3(b).
  - 46 f. Any documentation that the Division may request in order to  
47 determine compliance with requirements for financial responsibility  
48 that must be established by the proposed or new owner or operator  
49 pursuant to G.S. 130A-295.2 and Section .1800 of Subchapter B of  
50 Chapter 13 of Title 15A of the North Carolina Administrative Code,

- 1 including an executed financial assurance mechanism for, by, or from  
2 the proposed or new owner or operator.
- 3 g. Any updates to the cost estimates required to be submitted in  
4 accordance with Section .1800 of Subchapter B of Chapter 13 of Title  
5 15A of the North Carolina Administrative Code.
- 6 h. Any potential modifications to be made by the proposed or new owner  
7 or operator to the plans incorporated into the facility's permit, or any  
8 potential modifications to be made to the facility's permit to correct  
9 any information included in the plans that has changed due to the  
10 change in ownership or corporate structure, such as the owner or  
11 operator names and contact information.
- 12 i. For any plans for which no changes or corrections are to be made, a  
13 statement that the proposed or new owner or operator shall continue to  
14 comply with the plans incorporated into the existing facility permit,  
15 which shall be identified in the statement by the date the plans were  
16 incorporated, and the file identification number assigned by the  
17 Division to the file containing the incorporated plan.
- 18 j. Copies of any federal, State, or local government permits or approvals  
19 required for the facility under law, which have been revised as a result  
20 of the proposed change in ownership or corporate structure, or a  
21 statement that these permits or approvals have not changed.
- 22 k. Any additional information that the Division may request that is  
23 necessary for compliance with the requirements of this section and the  
24 requirements of Subchapter B of Chapter 13 of Title 15A of the North  
25 Carolina Administrative Code.

- 26 (4) All references to "interim maximum allowable concentrations" and "IMACs"  
27 shall be eliminated from the Solid Waste Landfill Rules.

28 **SECTION 1.(d)** Additional Rulemaking Authority. – The EMC shall adopt rules to  
29 amend the Solid Waste Landfill Rules to be consistent with Section 1(c). Notwithstanding  
30 G.S. 150B-19(4), the rules adopted by the EMC pursuant to this section shall be substantively  
31 identical to the provisions of Section 1(c). Rules adopted pursuant to this section are not subject  
32 to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this  
33 section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written  
34 objections had been received as provided in G.S. 150B-21.3(b2).

35 **SECTION 1.(e)** Sunset. – This section expires when permanent rules adopted as  
36 required by Section 1(d) become effective.

37 **SECTION 2.** This act is effective when it becomes law.