

**Agenda Item:** 15-36 **Request for Exception of “green area” Requirements in 15A NCAC 02H Section .0404(g)(7), in Accordance with 15A NCAC 02H .0407**

**Explanation:**

Sugarloaf Utilities, Inc., has requested an exception from the “green area” requirements for Coastal Facilities as specified in 15A NCAC 02H .0404(g)(7). The rule specifies that “[w]aste disposal areas are to contain 1,000 square feet of open ‘green area’ for each residential unit served, or 2,500 square feet per thousand gallons per day of waste flow, whichever is less.” As a condition of the exception, Sugarloaf Utilities, Inc., is recommending the permit include an onsite repair area sized to accommodate the permitted wastewater flows and more stringent effluent limitations for total nitrogen and total phosphorus to better ensure protection of the state’s water resources.

The exception of the rule is in accordance with 15A NCAC 02H .0407, which states;

No exception from the requirements of these Regulations shall be made until such exception is approved by the Commission.

**Recommendation:**

Staff recommends that the Commission grant the exception request with the additional conditions proposed by Sugarloaf Utilities, Inc.