

Compliance with the State Sedimentation Pollution Control Act

State law prohibits issuance of a building permit for any development requiring an erosion and sedimentation control plan under the North Carolina Sedimentation Pollution Control Act of 1973 (G.S. § 113A-50 et seq.) unless and until such plan has been approved by the appropriate State agency. Within Onslow County, that agency is the Wilmington regional office of the State Department of Environment and Natural Resources (DENR), Division of Land Resources, Land Quality Section).

The Act requires approval of an erosion and sedimentation control plan whenever land-disturbing activity on a tract would uncover more than one acre of land. The Land Quality Section has interpreted this one-acre threshold as applicable not just to individual lots or parcels for which a building permit is sought, but to any combination of lots within a subdivision that are owned and being developed by a single developer or builder - whether or not the lots are contiguous.

If you propose development that might disturb more than one acre - either on the lot or parcel for which you seek a building permit, or cumulatively on all lots within a subdivision for which you have or will seek building permits - we recommend that you contact the regional office of the Land Quality Section (see contact information below) before submitting a building permit application and confirm whether or not approval of an erosion and sedimentation control plan is required.

Check one of the following boxes and sign below.

I certify that the land-disturbing activity proposed by this application (whether by itself or combined with that being undertaken or proposed to be undertaken under my control elsewhere in the same subdivision)

- complies with an erosion and sedimentation control plan approved by the regional office of the NC Land Quality Section under the State Sedimentation Pollution Control Act of 1973. **Attach a copy of a Letter of Approval with Modifications and Performance Reservations from the regional office of the NC Land Quality Section applicable to the subject site.**
- does not require approval of an erosion and sedimentation control plan under the State Sedimentation Pollution Control Act of 1973. **Be aware that if the NC Land Quality Section subsequently issues a Notice of Violation stating that such approval is required, we will, pursuant to G.S. 153A-361-363, issue a stop work order and withhold any certificate of occupancy until the Land Quality Section approves a plan, and revoke the building permit if no plan is submitted to the Section by its deadline.**

Applicant's Signature

Date

For more information about the State erosion and sedimentation control regulations, contact:

Dan Sams
Regional Engineer
NCDENR
Division of Land Resources
Land Quality Section
127 Cardinal Drive Extension
Wilmington, NC 28405
Phone: 910-796-7215
FAX: 910-350-2004
e-mail: dan.sams@ncmail.net

Connection of Service Utility

ADDRESS _____

The responsible agent shall be the entity(s) who, in fulfillment of contractual obligation or otherwise, is empowered to control and supervise all construction activities. The suitability of the agent shall be at the sole discretion of the authority having jurisdiction.

PROPOSED USE _____

Utilization of portions of the permanent wiring system to facilitate construction shall be permitted and limited to those instances in which the use is deemed to be of reasonable necessity. Reasonable necessity shall include any of the following.

1. The utilization of permanently installed HVAC equipment to maintain environmental conditions necessary to facilitate the installation of environmentally sensitive materials, or finishes in accordance with the manufacture's instructions.
2. Where the distance between the construction site electrical service and any interior point at floor level is not in excess of 200 feet following the most direct route that an extension cord could reasonably be routed;
3. Testing of building service systems; or
4. Other situations as allowed by special permission.

Utilization of portions of the permanent wiring system during construction for any purpose other than testing and verification shall not be permitted where the use is solely for convenience. In no case shall any portions of the permanent wiring be energized for construction purposes until the portions have been inspected and released by the electrical code enforcement official.

The responsible agent shall maintain the energized electrical system or that portion of the building containing the system in a secured and locked manner to exclude unauthorized personnel. The responsibility agent shall assume the responsibility to alert personnel working in the vicinity of the energized electrical system to its presence.

Adequate inspections, as deemed necessary, by the code enforcement official shall be made prior to energizing to assure it complies with the requirements of Sec 308 (NC Administration and Enforcement Requirements Code).

Consent of Responsible Agent

The responsible agent shall consent to all provisions of Sec 308 (NC Administration and Enforcement Requirements Code). Additional, consent shall be extended to remove all power supplied to a building or structure under these provisions when in the sole discretion on the code enforcement official, such service is no longer consistent with the provisions of this section. The responsible agents signature shall be deemed to consent to this section.

Unauthorized energizing or use of the permanent wiring system or any portion thereof shall be prima facia evidence of a hazard, which at the sole discretion of the code enforcement official may result in disconnection of power as prescribed in Sec. 308.4 (NC Administration and Enforcement Requirements Code).

I am the *Land Owner / Agent / Contract Purchaser / Lessee* (Circle One) and by signature authorize submittal of this application.

Printed Name: _____

Signature: _____ Date _____

**UNDER NO CIRCUMSTANCES SHALL A STRUCTURE BE OCCUPIED
WITHOUT A CERTIFICATE OF OCCUPANCY.**