

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 6: Solid Waste

§ 664. Exemptions and case-by-case determinations

Cite as: 27 CNCA § 664

A. The provisions of STARS do not apply to:

1. septic tank systems otherwise approved by the Commission or exempted under regulations promulgated by the Commission;
2. surface impoundments, pits and lagoons that are otherwise covered in a permit issued by the Commission and/or are subject to other provisions of the Cherokee Nation Environmental Code;
3. stormwater and wastewater collection systems;
4. row-through process tank systems;
5. liquid trap or associated gathering lines directly related to oil or gas production and gathering operations;
6. hydraulic lift tank systems;
7. storage tank systems with a capacity of less than one hundred ten (110) gallons;
8. storage tank systems with a de minimis concentration of regulated substances including but not limited to swimming pools and coffins;
9. storage tank systems that serve as emergency backup tanks, provided that such backup tanks hold regulated substances for only a short period of time and are expeditiously emptied after each use;
10. storage tank systems with a capacity of one thousand one hundred (1,100) gallons or less used for noncommercial agricultural or residential purposes;
11. Storage tank systems and residential tanks for noncommercial use for storing heating oil for consumptive use on the premises where stored; and
12. storage tank systems storing hazardous wastes regulated under Subtitle C of the federal Solid Waste Disposal Act, 42 U.S.C. § 6921 et seq., or substances regulated as hazardous wastes under Cherokee Nation hazardous waste laws.

B. The Commission may require any facility, structure or activity to comply with STARS, rules promulgated hereunder, Commission guidelines, notification requirements, restrictions, appropriate Commission orders, and may require any facility, structure, activity or person to obtain a permit prior to constructing, installing or operating any facility, whenever it determines that it is necessary or appropriate to protect the environment or public health, safety or welfare.

Historical Data

LA 19-05, eff. May 19, 2005. Renumbered from 63 CNCA § 664.