

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 9: Water Quality Code

§ 935. Activities requiring permit—Construction of impoundments, land application, new outfalls or major changes

Cite as: 27 CNCA § 935

A. It shall be unlawful for any person to carry on any of the following activities with regard to wastewater or sludge without first securing a permit from the Commission:

1. The construction, installation, operation and closure of any industrial surface impoundment, industrial septic tank or treatment system, or the use of any existing unpermitted surface impoundment, septic tank or treatment system that is within the jurisdiction of the Nation and which is proposed to be used for the containment or treatment of industrial wastewater or sludge;
2. The construction, installation or operation of any industrial or commercial facility, the operation of which would cause an increase in the discharge of waste into the waters of the Nation or would otherwise alter the physical, chemical or biological properties of any waters of the Nation in any manner not already lawfully authorized;
3. The construction or use of any new outfall for the discharge of any waste or pollutants into the waters of the Nation; or
4. The land application of any nonindustrial or industrial wastewater and the land application of sludge or waste of any type.

B. Any major addition, extension, operational change or other change proposed for a facility permitted pursuant to subsection (A) of this section shall require the approval of the Commission and modification of the facility's permit prior to construction or implementation of such addition, extension or change.

C. The discharge of domestic sewage except to an authorized public or private disposal system or the surfacing of effluent from any domestic septic system shall be deemed pollution.

Historical Data

LA 35-04, eff. August 16, 2004.