

Cherokee Nation Code Annotated

Title 27: Environmental Quality

Chapter 13: Hazardous Waste Code

§ 1310. Special restrictions applicable in Indian Country

Cite as: 27 CNCA § 1310

A. No permit shall be issued for a new TSRD which is proposed to be located:

1. Within eight (8) miles of the corporate limits of an incorporated city or town or of any Cherokee community;
2. Within a one hundred- (100) year floodplain;
3. Within one (1) mile of any stream or lake;
4. Within one (1) mile of a public or private water supply;
5. On any land held in trust or otherwise owned by the Nation unless such land in specifically designated for such purposes in the Cherokee Nation strategic land plan or amendments to such plan;
6. Within five (5) miles of the Cherokee Nation tribal complex, tribal courts or cultural grounds;
7. Within three (3) miles of a school, church, campground, cultural or recreational area, or other public gathering place;
8. Within one (1) mile of any inhabited residence unless the residence is owned by the facility owner;
9. Over any area of karst geology; or
10. In such location or circumstances that, in the judgment of the Commission, the proposed facilities, activities or wastes pose an unacceptable risk to public health, safety, wildlife or any aspect of the environment.

Historical Data

LA 41-05, eff. December 15, 2005. Renumbered from 63 CNCA § 1310.