

Section 17.24.1302

NONCONFORMING STRUCTURES

(1) Use of Existing, Nonconforming Structures

SCCC will not submit an application for a permit or revision under Subchapter 3 or 4 which proposes to use an existing structure which does not conform to the design criteria of this subchapter, unless the MDEQ finds, in writing, that:

- (a) The structure meets the performance standards of subchapters 5 through 10; and,
- (b) No significant harm to the environment or public health or safety will result from use of the structure.

(2) Modification of Nonconforming Structures

If the MDEQ finds that an existing structure does not meet the design criteria and performance standards of the above subchapters, but that:

- (a) Modification or reconstruction of the structure will bring it into compliance within 6 months of the issuance of the permit;
- (b) The risk of harm to the environment or to public safety or health is not significant during the period of modification or reconstruction; and,
- (c) SCCC will monitor the structure to determine compliance with the performance standards of subchapters 5-10, then SCCC will submit and adhere to an approved compliance plan for modification or reconstruction of the structure to comply with the appropriate subchapters.

(3) Nonconforming Structures Unable to be Modified

If the MDEQ finds that the existing, nonconforming structure cannot be reconstructed without causing significant harm to the environment or public health or safety, SCCC will abandon the existing structure on a schedule approved by the MDEQ.