

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 1014
HOUSE BILL 1633

AN ACT TO AMEND THE SEDIMENTATION POLLUTION CONTROL ACT OF
1973.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-54(d) is amended by deleting that portion of subdivision (2) that follows the first semicolon, substituting a semicolon for the period at the end of subdivision (3) and adding a new subdivision (4) to read:

"(4) Require submission of erosion control plans by those responsible for initiating land-disturbing activities for approval prior to commencement of the activities. As to those activities requiring prior plan approval, the Commission must either approve or disapprove the plan within 30 days of receipt. Failure to approve or disapprove a complete erosion and sedimentation control plan within 30 days of receipt shall be deemed approval. Denial of a plan must specifically state in writing the reasons for denial. The Commission must approve or deny a revised plan within 15 days of receipt, or it is deemed to be approved.

If, following commencement of a land-disturbing activity pursuant to an approved plan, the Commission determines that the plan is inadequate to meet the requirements of this Article, the Commission may require such revisions as are necessary to comply with this act. The Commission must approve or deny the revised plan within 15 days of receipt, or it is deemed to be approved."

Sec. 2. The last sentence of G.S. 113A-54(f) is repealed.

Sec. 3. G.S. 113A-57 is amended by adding a new subdivision (4) to read:

"(4) No person shall initiate any land-disturbing activity if more than one contiguous acre is to be uncovered unless, 30 or more days prior to initiating the activity, an erosion and sedimentation control plan for such activity is filed with the agency having jurisdiction."

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1984.