

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 296
SENATE BILL 269

AN ACT TO REFORM CERTAIN ADMINISTRATIVE PROCEDURES OF THE
ENVIRONMENTAL MANAGEMENT COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-214.1, as it now appears in 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended as follows: by deleting the text of subsection (e) following the word "the" on line 10 of the subsection and by inserting instead the following: "requirements of G.S. 150A-12."

Sec. 2. G.S. 143-215.1(c), as it appears in 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended as follows:

1. by deleting from paragraph (2)a. thereof the following words, beginning at line 19 and continuing to line 22: "by posting a copy of the notice at the courthouse in the county in which the pretreatment facility, outlet or point source or treatment works or disposal system discharging to the surface waters of the states lies and",
2. by deleting from paragraph (3) thereof the following words beginning at line 12 and continuing through line 15: "posted at the courthouse door of the county in which the pretreatment facility, outlet, point source, treatment works or disposal systems lies, and shall cause the notice to be".

Sec. 3. G.S. 143-215.1(c)(3), as it appears in the 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended as follows: by deleting the words "hearing" and "hearings" whenever they appear in that paragraph, and inserting instead the words "meeting" and "meetings", respectively.

Sec. 4. G.S. 143-215.5, as it appears in 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended as follows: (a) by deleting from paragraph (b) of the statute the text beginning with "de novo" on line 14 and concluding with "thereto" on line 19, and by inserting instead the following: "in accordance with G.S. 150A-50 and G.S. 150A- 51."

Sec. 5. G.S. 143-215.3(a)(1), as it now appears in the 1981 Cumulative Supplement Volume 3C of the North Carolina General Statutes, is amended by deleting the last sentence.

Sec. 6. G.S. 143-215.3(a), as it now appears in the 1981 Cumulative Supplement to 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended by deleting therefrom the paragraphs numbered (11) and (13) and by renumbering paragraph (12) as (11).

Sec. 7. G.S. 143-215.3(a)(8), as it now appears in the 1981 Cumulative Supplement to 1978 Replacement Volume 3C of the North Carolina General Statutes, is amended by deleting therefrom the third paragraph beginning on line 24, and by inserting instead the following new paragraph: "Notice of hearing shall be given in accordance with the provisions of G.S. 150A-12."

Sec. 8. G.S. 143-215.3(a)(8), as it now appears in the 1981 Cumulative Supplement to Replacement Volume 3C of the North Carolina General Statutes, is further amended at line 7 thereof by deleting the reference "G.S. 143-215.4" and by inserting in lieu thereof the reference "General Statutes Chapter 150A, Article 2".

Sec. 9. G.S. 143-215.4(a), as it now appears in 1978 Replacement Volume 3C of the North Carolina General Statutes is amended by deleting lines 6-8 thereof and the words "on the date when such action is taken" on line 9 thereof, and by inserting instead the following: "G.S. 150A-12". G.S. 143-215.4(a) is further amended by inserting at the end thereof the following sentence: "In addition to the manner of giving notice prescribed by G.S. 150A-12, the department shall give notice of any proceeding under G.S. 143-214.1 and G.S. 143-215 to all persons on its mailing list."

Sec. 10. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of May, 1983.