

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 434  
Corrected Copy 3/17/09  
Committee Substitute Favorable 3/25/09

Short Title: Enhanced Notice for Animal Waste Permittees.

(Public)

Sponsors:

Referred to:

March 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE INDIVIDUAL NOTICE TO ANIMAL WASTE MANAGEMENT  
3 SYSTEM GENERAL PERMIT HOLDERS PRIOR TO ANY PUBLIC MEETINGS  
4 CONDUCTED BY THE DEPARTMENT OF ENVIRONMENT AND NATURAL  
5 RESOURCES REGARDING REVISIONS TO OR RENEWAL OF THE GENERAL  
6 PERMIT.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 143-215.1 reads as rewritten:

9 "§ 143-215.1. Control of sources of water pollution; permits required.

10 ...  
11 (b) Commission's Power as to Permits. –

12 ...  
13 (3) General permits may be issued under rules adopted pursuant to Chapter  
14 150B of the General Statutes. Such rules may provide that minor activities  
15 may occur under a general permit issued in accordance with conditions set  
16 out in such rules. All persons covered under general permits shall be subject  
17 to all enforcement procedures and remedies applicable under this Article.  
18 Prior to reissuing, revising, or replacing a general permit, the Commission  
19 shall provide 45 days advance notice of the reissued, revised, or replacement  
20 general permit and 30 days notice of any public meetings held by the  
21 Commission or by the Department regarding the reissuance, revision, or  
22 replacement of the general permit to all permittees covered by the general  
23 permit using any of the following methods:

24 a. Deposit in the United States mail of such notice in an envelope with  
25 postage prepaid, addressed to the permittee at his address as shown  
26 by the records of the Department.

27 b. Delivery of such notice via facsimile or electronic mail to the  
28 facsimile number or electronic mail address of the permittee as  
29 shown by the records of the Department.

30 ...."

31 SECTION 2. This act becomes effective October 1, 2009, and applies to any  
32 general permits reissued, revised, or replaced after that date.

