HOUSE BILL 434

Short Title:	Enhanced Notice for Animal Waste Permittees.	(Public)
Sponsors:	Representatives Setzer; and R. Warren.	
Referred to:	Agriculture, if favorable, Environment and Natural Resources.	

March 9, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE INDIVIDUAL NOTICE TO ANIMAL WASTE MANAGEMENT SYSTEM GENERAL OR INDIVIDUAL PERMIT HOLDERS PRIOR TO ANY PUBLIC MEETINGS CONDUCTED BY THE DEPARMENT OF ENVIRONMENT AND NATURAL RESOURCES REGARDING REVISONS TO OR RENEWAL OF THE GENERAL OR INDIVIDUAL PERMIT.

The General Assembly of North Carolina enacts:

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

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

…

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

…

(3) General permits may be issued under rules adopted pursuant to Chapter 150B of the General Statutes. Such rules may provide that minor activities may occur under a general permit issued in accordance with conditions set out in such rules. All persons covered under general permits shall be subject to all enforcement procedures and remedies applicable under this Article. <u>Prior to reissuing, revising, or replacing a general permit, the Commission shall provide advance notice of the reissued, revised, or replacement general permit and of any public meetings held by the Commission or by the Department regarding the reissuance, revision, or replacement of the general permit to all permittees covered by the general permit using any of the following methods:</u>

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

<u>b. Delivery of such notice via facsimile or electronic mail to the facsimile number or electronic mail address of the permittee as shown by the records of the Department.</u>

…."

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