

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 1250**

Short Title: Amend Notice Period for Water Quality Permits. (Public)

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Sponsors: Senators Odom; Albertson, Clodfelter, and Kinnaird.

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Referred to: Agriculture/Environment/Natural Resources.

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June 6, 2002

A BILL TO BE ENTITLED

1 AN ACT TO REDUCE THE NOTICE PERIOD PRIOR TO GRANTING OR  
2 DENYING A PERMIT TO DISCHARGE INTO SURFACE WATERS FROM  
3 FORTY-FIVE DAYS TO THIRTY DAYS, AS RECOMMENDED BY THE  
4 ENVIRONMENTAL REVIEW COMMISSION.  
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 143-215.1(c) reads as rewritten:

8 "(c) Applications for Permits and Renewals for Facilities Discharging to the  
9 Surface Waters. –

10 (1) All applications for permits and for renewal of existing permits for  
11 outlets and point sources and for treatment works and disposal systems  
12 discharging to the surface waters of the State shall be in writing, and  
13 the Commission may prescribe the form of such applications. All  
14 applications shall be filed with the Commission at least 180 days in  
15 advance of the date on which it is desired to commence the discharge  
16 of wastes or the date on which an existing permit expires, as the case  
17 may be. The Commission shall act on a permit application as quickly  
18 as possible. The Commission may conduct any inquiry or investigation  
19 it considers necessary before acting on an application and may require  
20 an applicant to submit plans, specifications, and other information the  
21 Commission considers necessary to evaluate the application.

22 a. The Department shall refer each application for permit, or  
23 renewal of an existing permit, for outlets and point sources and  
24 treatment works and disposal systems discharging to the surface  
25 waters of the State to its staff for written evaluation and  
26 proposed determination with regard to issuance or denial of the  
27 permit. If the Commission concurs in the proposed  
28 determination, it shall give notice of intent to issue or deny the  
29 permit, along with any other data that the Commission may

1 determine appropriate, to be given to the appropriate State,  
2 interstate and federal agencies, to interested persons, and to the  
3 public.

- 4 a1. The Commission shall prescribe the form and content of the  
5 notice. Public notice shall be given at least ~~45~~30 days prior to  
6 any proposed final action granting or denying the permit. Public  
7 notice shall be given by publication of the notice one time in a  
8 newspaper having general circulation within the county."

9 . . . .

10 **SECTION 2.** This act becomes effective July 1, 2002, and applies to a  
11 permit or renewal application submitted on or after that date.