

NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION

DELEGATION OF AUTHORITY TO RECEIVE, CONSIDER, AND RESOLVE REMISSION REQUESTS FOR CIVIL PENALTIES ASSESSED BY THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY, DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES

The North Carolina Sedimentation Control Commission hereby delegates the following authority to the North Carolina Department of Environmental Quality, Division of Energy, Mineral, and Land Resources (“DEMLR”) for civil penalties assessed by DEMLR:

To receive remission requests from violators;

To consider remission requests submitted in accordance with N.C. Gen. Stat. § 113A-64.2(a), and make enforcement recommendations consistent with the limitations in N.C. Gen. Stat. § 113A-64.2; and

To resolve remission requests with the violator, consistent with the limitations in N.C. Gen. Stat. § 113A-64.2.

If DEMLR and the violator are unable to resolve the remission request, DEMLR shall deliver remission requests and DEMLR’s recommended enforcement action to the Civil Penalty Remissions Committee for a final agency decision.

For the processing and referral of remission requests pursuant to the authority delegated herein, DEMLR shall refer to the most recent version of the “*Remission Guidelines for the Division of Energy, Mineral, and Land Resources (“DEMLR”)*” adopted by the SCC or the Civil Penalty Remissions Committee.

Effective: February 20, 2020

Dr. Susan White, Chairperson  
Sedimentation Control Commission