

NORTH CAROLINA SEDIMENTATION CONTROL COMMISSION

DELEGATION OF AUTHORITY TO RECEIVE, CONSIDER, AND RESOLVE REMISSION REQUESTS FOR CIVIL PENALTIES ASSESSED BY LOCAL GOVERNMENT EROSION AND SEDIMENTATION CONTROL PROGRAMS

The North Carolina Sedimentation Control Commission hereby delegates the following authority to local government erosion and sedimentation control programs (“local government”) for civil penalties assessed by the local government:

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 the local government and the violator are unable to resolve the remission request, the local government shall deliver the remission request and the local government’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, the local government shall refer to the most recent version of the “*Remission Guidelines for Local Government Erosion and Sedimentation Control Programs*” adopted by the SCC or the Civil Penalty Remissions Committee.

Effective: February 20, 2020

Dr. Susan White, Chairperson
Sedimentation Control Commission