

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 394*

Short Title: Environmental Compliance Bonding.

(Public)

Sponsors: Senator Winner.

Referred to: Environment.

March 13, 1989

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR THE POSTING OF A BOND OR OTHER SECURITY
2 TO ENSURE COMPLIANCE WITH SPECIAL ORDERS OF THE
3 ENVIRONMENTAL MANAGEMENT COMMISSION.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 143-215.110(a) reads as rewritten:

7 "(a) Issuance. – The Commission is hereby empowered, after the effective date of
8 standards and classifications adopted pursuant to G.S. 143-215.107, to issue (and from
9 time to time to modify or revoke) a special order or other appropriate instrument, to any
10 person whom it finds responsible for causing or contributing to any pollution of the air
11 within the area for which standards have been established. Such an order or instrument
12 may direct such person to take or refrain from taking such action, or to achieve such
13 results, within a period of time specified by such special order, as the Commission
14 deems necessary and feasible in order to alleviate or eliminate such pollution. Such an
15 order may provide for the posting of a bond or other surety to secure compliance. The
16 Commission is authorized to enter into consent special orders, assurances of voluntary
17 compliance or other similar documents by agreement with the person responsible for
18 pollution of the air, and such document shall have the same force and effect as a special
19 order of the Commission issued pursuant to hearing."

20 Sec. 2. This act is effective upon ratification. ♦