

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 474\*

Short Title: Security for EMC Orders.

(Public)

Sponsors: Senator Winner.

Referred to: Environment.

March 16, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE POSTING OF A BOND OR OTHER SECURITY TO ENSURE COMPLIANCE WITH SPECIAL ORDERS OF THE ENVIRONMENTAL MANAGEMENT COMMISSION.

The General Assembly of North Carolina enacts:

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

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

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