



2021-2022 General Assembly

SENATE BILL 389: Department of Environmental Quality/Department of Natural and Cultural Resources Omnibus, Sec. 11: Revise Sedimentation and Erosion Control Stop Work Order Procedures

Committee:		Date:	February 9, 2022
Introduced by:		Prepared by:	Kyle Evans
Analysis of:	Sec. 11 of S.L. 2021-158		Staff Attorney

OVERVIEW: *Section 11 of S.L. 2021-158 repeals certain subsections of the statute governing stop-work orders issued for sedimentation and erosion control violations.*

This section became effective October 1, 2021.

PRIOR LAW/BILL ANALYSIS:

G.S. 113A-65.1(f) provided that a stop-work order issued pursuant to the Sedimentation and Erosion Control Program is a final agency decision subject to judicial review in the same manner as an order in an administrative contested case. Subsection (h) of that section required the Attorney General to file a cause of action to abate the violations which resulted in the issuance of a stop-work order within two days of the service of the stop-work order. A stop-work order issued pursuant to this section could last for no more than 5 days.

Section 11 of S.L. 2021-158 repeals subsections (f) and (h) of G.S. 113A-65.1.

EFFECTIVE DATE: This section became effective October 1, 2021.

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