

15A NCAC 08F .0407 RECERTIFICATION FOLLOWING REVOCATION OR RELINQUISHMENT

- (a) After revocation or relinquishment has been effective for a period of not less than 270 days, a person may apply in writing for recertification. The application shall include any facts concerning changes to conditions under which revocation or relinquishment occurred. Such facts shall show that the applicant will comply with the laws and regulations concerning the operation of animal waste management systems.
- (b) Within 120 days following receipt of an application for recertification, the Commission shall notify the applicant by letter of its decision to deny or grant examination eligibility in accordance with procedures set out in Rule .0403 of this Section. The Commission shall grant eligibility only if there is evidence that the conditions leading to the revocation or relinquishment have been corrected.
- (c) Recertification of a person as an operator of animal waste management systems shall only occur by means of application and examination. The applicant shall meet the eligibility requirements as outlined in Rule .0401 of this Section.
- (d) Upon notification of the Commission's decision to deny eligibility, the applicant may appeal the decision pursuant to the procedures contained in G.S. 150B, Article 3A.
- (e) Prior to recertification, the applicant shall pay in full all civil penalties, if assessed against him or her by the Commission.

*History Note: Authority G.S. 90A-47; 143B-300; 150B-38;
Temporary Adoption Eff. January 7, 1997;
Eff. August 1, 1998;
Readopted Eff. September 1, 2018.*