

15A NCAC 13B .0703 PROCEDURE FOR ASSESSMENT: REVOCATION OF PERMIT

- (a) Depending on the violation involved, the Division may issue a notice of penalty assessment immediately or grant the violator a period of time within which to cease the violation.
- (b) For all violations for which a penalty is assessed a notice of such action shall be sent the respondent by registered or certified mail. The notice shall describe the nature of the violation with reasonable particularity, the amount of the penalty for each violation, that each day of a continuing violation constitutes a separate violation, advise that the penalty is now due or that it will become due at the end of a specified time, and advise the respondent of his rights of appeal.
- (c) In addition to any assessment that might be appropriate, the Division may suspend or revoke the permit of any facility in accordance with G.S. 130A-23.
- (d) The Division or its delegates may modify a penalty upon finding that additional or different facts should have been considered in determining the amount of the assessment or upon finding that the respondent has corrected or mitigated the harm cause by the violation.

*History Note: Authority G.S. 130A-22(f);
Eff. April 1, 1982;
Amended Eff. May 1, 1987.*