

15A NCAC 02G .0507 LOSS OF ALLOCATION

- (a) The Commission will review the Level I and Level II allocations at five year intervals, beginning on the effective date of the first allocation.
- (b) Level I allocations will be reviewed for possible reassignment if the recipient does not begin to withdraw water within five years of the effective date of allocation or is not using and withdrawing the water as proposed in the application.
- (c) Level I and Level II allocations will be rescinded upon failure by the local government to meet the regulation requirements in .0506 (a), (b), and (c).
- (d) The Commission may adjust, reassign, or transfer interests in water supply storage held by local governments, if indicated by an investigation of needs or changes in the project's water supply storage capacity. Capital, interest, and operating costs will be equitably adjusted to reflect the allocation recipients' proportion of total capacity. Holders of Level I and Level II allocations will receive appropriate refunds for any payments made if their allocations are adjusted, reassigned, or otherwise amended with the approval of the Commission. Rescinded allocations will not be refunded.
- (e) The Commission shall hold a public meeting to obtain comments and information regarding the proposed loss of allocation.

*History Note: Authority G.S. 143-215.3(a)(1); 143-354(a)(11); 143B-282;
Eff. March 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 16, 2019.*