

15A NCAC 18C .1907 PROCEDURE FOR ASSESSMENT

- (a) Depending on the violation involved, the Department or its delegates 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 to 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) The Department 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.

*History Note: Authority G.S. 130A-22(f);
Eff. September 1, 1979;
Amended Eff. May 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. November 23, 2015.*