

24 NCAC 06A .0221 ATTESTATION OF COMPLIANCE

(a) On an annual basis at a time designated by the Director, each Responsible Party shall submit an attestation of compliance to the Commission on forms prescribed by the Commission or in an electronic platform provided by the Commission.

(b) The Responsible Party's attestation shall identify, if applicable, any material deficiencies with respect to Responsible Party's compliance with these Rules or the Act. The Responsible Party may elect to provide the Director with additional sworn or affirmed written submissions to provide the Director with context and information, as well as information about the Responsible Party's plans and ongoing efforts to achieve compliance.

(c) Material omissions or false statements in the attestation or related submissions may serve as the basis for Revocation, Suspension, civil penalties, sanctions, or enforcement actions.

(d) The Responsible Party's attestation or related submission shall be signed by any officer or agent of the Responsible Party who has also been identified as a Key Person. Their attestation shall be made on the basis of information known or reasonably known to the Responsible Party.

(1) By signing under oath, the Individual attests to the truth, accuracy, and completeness of the attestation and materials provided on behalf of the Responsible Party.

(2) The Individuals providing attestations and related written submissions need not have first-hand or other personal knowledge of all information submitted to the Commission; such Individuals may consult with and gather information from other Individuals within the Responsible Party or in entities whose actions are for the benefit of the Responsible Party or are controlled or directed by the Responsible Party. Individuals who assisted the affiants or with whom the affiants consulted shall be identified by name in the written submission, along with their organization, mailing address, and email address.

*History Note: Authority G.S. 18C-114(a)(14);
Previously adopted as Rule 1B-021;
Eff. January 8, 2024;
Readopted Eff. March 27, 2024.*