



CHAPTER 90A
ARTICLE 2 - CERTIFICATION OF WATER TREATMENT FACILITY OPERATORS

N.C.G.S. § 90A-30.

Penalties; remedies; contested cases.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2025-25, s. 24(c) — ninth act in the lineage	RETRIEVED 21 September 2026, 05:36 UTC	SOURCE FINGERPRINT 884b86a97450ed10b2efc0c2 - 589ec3444a3656c0a3810b93 - cd7c9ce4e2d6c8cc
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§ 90A-30(a) Upon the recommendation of the Board of Certification, the Secretary of Environmental Quality or a delegated representative may impose an administrative, civil penalty on any person, corporation, company, association, partnership, unit of local government, State agency, federal agency, or other legal entity that violates G.S. 90A-29(a). Each day of a continued violation constitutes a separate violation. The penalty shall not exceed one hundred dollars (\$100.00) for each day the violation continues. No penalty shall be assessed until the person alleged to be in violation has been notified of the violation.

The clear proceeds of penalties imposed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

§ 90A-30(b) Any person wishing to contest a penalty issued under this section is entitled to an administrative hearing and judicial review conducted according to the procedures outlined in Articles 3 and 4 of Chapter 150B of the General Statutes.

§ 90A-30(c) The Secretary may bring a civil action in the superior court of the county in which the violation is alleged to have occurred to recover the amount of the administrative penalty if either of the following applies to an owner or person in control of a water treatment facility:

- (1) The owner or person has not requested an administrative hearing and fails to pay the penalty within 60 days after being notified of the penalty.

- (2)
- The owner or person has requested an administrative hearing and fails to pay the penalty within 60 days after the Office of Administrative Hearings forwards a written copy of the decision as provided in G.S. 150B-34.

§ 90A-30(d)

Notwithstanding any other provision of law, this section imposes the only penalty or sanction, civil or criminal, for violations of G.S. 90A-29(a) or for the failure to meet any other legal requirement for a water system to have a certified operator in responsible charge.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
9 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

198120032025

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1981	c. 616, s. 11	ENACTED
02	1987	c. 827, s. 231	AMENDED
03	1989	c. 227, s. 5	AMENDED
04	1989	c. 727, s. 219(12)	AMENDED
05	1989	1989 (Reg. Sess., 1990), c. 1024, s. 18	AMENDED
06	1997	S.L. 1997-443, s. 11A.31	AMENDED
07	1998	S.L. 1998-215, s. 45	AMENDED
08	2015	S.L. 2015-241, s. 14.30(v)	AMENDED
09	2025	S.L. 2025-25, s. 24(c)	AMENDED

APPARATUS II
3 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
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G.S. 90A-29(a)	(a)	<i>"or other legal entity that violates"</i>
G.S. 115C-457.2	(a)	<i>"and Forfeiture Fund in accordance with"</i>
G.S. 150B-34	(c)(2)	<i>"of the decision as provided in"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90A-30 (2025).

PINPOINT

N.C. Gen. Stat. § 90A-30(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1981, c. 616, s. 11; 1987, c. 827, s. 231; 1989, c. 227, s. 5; c. 727, s. 219(12); 1989 (Reg. Sess., 1990), c. 1024, s. 18; 1997-443, s. 11A.31; 1998-215, s. 45; 2015-241, s. 14.30(v); 2025-25, s. 24(c).)

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