

review of the notice or order. However, there is no right to request review of the commission's decision on an informal public minesite hearing.

History: Effective August 1, 1980; amended effective May 1, 1990.

General Authority: NDCC 38-14.1-03

Law Implemented: NDCC 38-14.1-28

69-05.2-28-05. Inspection and enforcement - Notice of violation - Remedial measures - Modification - Vacation - Termination.

1. A notice of violation issued under subdivision b of subsection 1 of North Dakota Century Code section 38-14.1-28 may include any remedial action required, interim steps, if appropriate, and the time for accomplishment of any interim steps.
2. The commission or its authorized representative may modify, vacate, or terminate a notice of violation for good cause.
3. The commission or its authorized representative will terminate a notice of violation by written notice when all violations listed in the notice are abated.
4. Termination of a notice of violation does not affect the commission's right to assess civil penalties for the violation for which the notice was issued.

History: Effective August 1, 1980; amended effective May 1, 1990.

General Authority: NDCC 38-14.1-03

Law Implemented: NDCC 38-14.1-28

69-05.2-28-06. Inspection and enforcement - Notice of violation - Extension of abatement period. The commission or its authorized representative may extend the time for abatement or for accomplishment of an interim step, if the failure to meet the time previously set was not caused by lack of diligence on the part of the permittee or operator. The total time for abatement may not exceed ninety days from the date of issuance.

History: Effective August 1, 1980; amended effective May 1, 1990.

General Authority: NDCC 38-14.1-03

Law Implemented: NDCC 38-14.1-28

69-05.2-28-07. Inspection and enforcement - Cessation order or notice of violation - Inability to comply.

1. Inability to comply will not be considered grounds for vacating a cessation order or notice of violation.

