

Outline of Proposed Enforcement Procedure under S.52

1. Department issues a proposed NOAV, including the Department's statement of the facts. The NOAV is posted on the Department's website and copies are provided to all parties to the original CPG case, adjoining landowners, and the host town.
2. Following issuance of the proposed NOAV, there is a 30 day public comment period in which interested persons can weigh in on the proposed citation.
3. After the close of the 30-day comment period, there is a 15-day window in which the Board can, on its own motion, open a proceeding under Section 30(a) or (b), which would supersede the proposed citation process.
4. After the 30-day comment period, the Department may also revise its NOAV based on public comment. If it does so, the 15-day window provided for Board action above would start upon receipt of a revised NOAV.
5. If the Board does not open a 30 § 30 proceeding, on the 45th day the Department may issue the proposed citation, after which the response process contemplated in S.52 draft 2.2 would commence, consistent with the current draft.