

2011 -- H 5476

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION

Introduced By: Representative Arthur Handy

Date Introduced: March 02, 2011

Referred To: House Environment and Natural Resources

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-12-9 of the General Laws in Chapter 46-12 entitled "Water
2 Pollution" is hereby amended to read as follows:

3 **46-12-9. Notices of violation and compliance orders.** -- (a) The director shall follow the
4 procedures provided in section 42-17.1-10(g) in issuing any notice of violation or compliance
5 order authorized pursuant to this chapter or any rules, regulations, or permits promulgated
6 thereunder.

7 (b) Where an order of the director does not specify the system or means to be adopted,
8 the person against whom an order is entered shall, before proceeding to install a system or means,
9 submit to the director a plan or statement describing the system or means which the person
10 proposes to adopt.

11 (c) Any order or notice issued by the director shall be eligible for recordation under
12 chapter 13 of title 34. The director shall forward the original order or notice to the city or town
13 wherein the subject property is located and the order or notice shall be recorded in the land
14 evidence records in the city or town wherein the subject property is located. Any subsequent
15 transferee of that property shall be responsible for complying with the requirements of the order
16 or notice. Upon satisfactory completion of the requirements of the order or notice, the director
17 shall provide written notice of the same to the owner of the subject property, which notice shall
18 be similarly eligible for recordation.

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1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO WATERS AND NAVIGATION -- WATER POLLUTION

- 1 This act would allow the director of the department of environmental management to
- 2 record orders or notices regarding water pollution violations in the land evidence records.
- 3 This act would take effect upon passage.

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