

Cherokee Nation Code Annotated
Title 27: Environmental Quality
Chapter 7: Toxic and Hazardous Substance Control
§ 706. Inspections and subpoenas
Cite as: 27 CNCA § 706

A. In general. For purposes of administering this chapter, the CN EPC, and any duly designated representative of the CN EPC, may inspect any establishment, facility, or other premises in which chemical substances or mixtures are manufactured, processed, stored, or held before or after their distribution and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce within Cherokee Nation. Such an inspection may only be made upon the presentation of appropriate credentials and of a written notice to the owner, operator, or agent in charge of the premises or conveyance to be inspected. A separate notice shall be given for each such inspection, but a notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness and shall be conducted at reasonable times, within reasonable limits, and in a reasonable manner.

B. Scope.

1. Except as provided in paragraph 2, an inspection conducted under subsection (A) of this section shall extend to all things within the premises or conveyance inspected (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of this chapter applicable to the chemical substances or mixtures within such premises or conveyance have been complied with.

2. No inspection under subsection (A) of this section shall extend to:

- a. financial data;
- b. sales data (other than shipment data);
- c. pricing data;
- d. personnel data; or
- e. research data (other than data required by this chapter or under a rule promulgated thereunder), unless the nature and extent of such data are described with reasonable specificity in the written notice required by subsection (A) of this section for inspection.

Historical Data

LA 1–93, eff. June 14, 1993. Renumbered from 63 CNCA § 706.