

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 179
Committee Substitute Favorable 3/17/93

Short Title: Delete Environmental Reports.

(Public)

Sponsors:

Referred to:

February 17, 1993

A BILL TO BE ENTITLED

AN ACT TO DELETE THE REQUIREMENT THAT CERTAIN REPORTS ON ENVIRONMENTAL ISSUES BE MADE TO THE JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-309.12(c) reads as rewritten:

"(c) The Department shall report on an annual basis ~~beginning 1 September 1992 to the Joint Legislative Commission on Governmental Operations and to the Environmental Review Commission as to the condition of the Solid Waste Management Trust Fund and as to the use of all funds allocated from the Solid Waste Management Trust Fund.~~ The report shall be made on September 1 of each year."

Sec. 2. Section 2 of Chapter 1082 of the 1989 Session Laws, as rewritten by Section 1 of Chapter 20 of the 1991 Session Laws and Section 8 of Chapter 990 of the 1991 Session Laws, reads as rewritten:

"Sec. 2. The Department of Environment, Health, and Natural Resources shall report to ~~the Joint Legislative Commission on Governmental Operations and the Environmental Review Commission on an annual basis beginning 1 September 1992 on the implementation of the resident inspectors program.~~ The report shall be made on September 1 of each year. The receipts and expenditures provided for by this act shall appear as a separate expansion budget request for the 1991-93 biennium."

Sec. 3. G.S. 143-215.94M reads as rewritten:

"§ 143-215.94M. Reports.

1 (a) The Secretary shall present a semiannual report to ~~the Joint Legislative~~
2 ~~Commission on Governmental Operations and the Environmental Review Commission~~
3 which shall include at least the following:

- 4 (1) A list of all discharges or releases of petroleum from underground
5 storage tanks;
- 6 (2) A list of all cleanups requiring State funding through the
7 Noncommercial Fund and a comprehensive budget to complete such
8 cleanups;
- 9 (3) A list of all cleanups undertaken by tank owners or operators and the
10 status of these cleanups;
- 11 (4) A statement of receipts and disbursements for both funds;
- 12 (5) A statement of all claims against both funds including claims paid,
13 claims denied, pending claims, and anticipated claims, and any other
14 obligations;
- 15 (6) The adequacy of both funds to carry out the purposes of this Part; and
- 16 (7) A statement of the condition of the Loan Fund and a summary of all
17 activity under the Loan Fund.

18 (b) The semiannual ~~reports~~ report required by this section shall be made by the
19 Secretary on 1 March and 1 September of each ~~year beginning 1 March 1992~~ year."

20 Sec. 4. G.S. 74-54.1 reads as rewritten:

21 "**§ 74-54.1. Permit fees.**

22 The Commission may establish a fee schedule for the processing of permit
23 applications and permit renewals and modifications. The fees may vary on the basis of
24 the acreage, size, and nature of the proposed or permitted operations or modifications.
25 In establishing the fee schedule, the Commission shall consider the administrative and
26 personnel costs incurred by the Department for processing applications for permits and
27 permit renewals and modifications and for related compliance activities and safeguards
28 to prevent unusual fee assessments that would impose a serious economic burden on an
29 individual applicant or a class of applicants.

30 The total amount of permit fees collected for any fiscal year may not exceed one-
31 third of the total personnel and administrative costs incurred by the Department for
32 processing applications for permits and permit renewals and modifications and for
33 related compliance costs in the prior fiscal year. A fee for an application for a new
34 permit may not exceed two thousand five hundred dollars (\$2,500), and a fee for an
35 application to renew or modify a permit may not exceed five hundred dollars (\$500.00).
36 Fees collected under this section shall be applied to the costs of administering this
37 Article.

38 The Department shall make an annual report to ~~the Joint Legislative Commission on~~
39 ~~Governmental Operations and the Director of the Fiscal Research Division~~ the Environmental
40 Review Commission on the cost of the State's mining permit program. The report shall
41 include the fees established, collected, and disbursed under this section and any other
42 information requested by the General Assembly or the Commission."

43 Sec. 5. This act becomes effective July 1, 1993.