

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 828

Short Title: Discontinue Oxygenated Gas Use.

(Public)

Sponsors: Representatives Capps; Eddins, Ellis, Locke, Miner, Neely, and Pulley.

Referred to: Health and Environment.

April 11, 1995

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE DISCONTINUANCE OF AN OXYGENATED
2 GASOLINE PROGRAM IN ANY AREA THAT IS DESIGNATED BY THE
3 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AS IN
4 COMPLIANCE WITH THE FEDERAL AIR QUALITY STANDARDS.
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6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 143-215.107(a) reads as rewritten:

8 "(a) Duty to Adopt Plans, Standards, etc. – The Commission is hereby directed
9 and empowered, as rapidly as possible within the limits of funds and facilities available
10 to it, and subject to the procedural requirements of this Article and Article 21:

- 11 (1) To prepare and develop, after proper study, a comprehensive plan or
12 plans for the prevention, abatement and control of air pollution in the
13 State or in any designated area of the State.
14 (2) To determine by means of field sampling and other studies, including
15 the examination of available data collected by any local, State or
16 federal agency or any person, the degree of air contamination and air
17 pollution in the State and the several areas of the State.
18 (3) To develop and adopt, after proper study, air quality standards
19 applicable to the State as a whole or to any designated area of the State
20 as the Commission deems proper in order to promote the policies and
21 purposes of this Article and Article 21 most effectively.
22 (4) To collect information or to require reporting from classes of sources
23 which, in the judgment of the Environmental Management
24 Commission, may cause or contribute to air pollution. Any person

1 operating or responsible for the operation of air contaminant sources of
2 any class for which the Commission requires reporting shall make
3 reports containing such information as may be required by the
4 Commission concerning location, size, and height of contaminant
5 outlets, processes employed, fuels used, and the nature and time
6 periods or duration of emissions, and such other information as is
7 relevant to air pollution and available or reasonably capable of being
8 assembled.

9 (5) To develop and adopt emission control standards as in the judgment of
10 the Commission may be necessary to prohibit, abate, or control air
11 pollution commensurate with established air quality standards. The
12 standards may be applied uniformly to the State as a whole or to any
13 area of the State designated by the Commission. This subdivision does
14 not apply to asbestos NESHAP for renovations and demolitions,
15 defined in G.S. 130A-444, that are subject to regulation by the
16 Commission for Health Services under Article 19 of Chapter 130A of
17 the General Statutes.

18 (6) To adopt, when necessary and practicable, a program for testing
19 emissions from motor vehicles and to adopt motor vehicle emission
20 standards in compliance with applicable federal regulations.

21 (7) To develop and adopt standards and plans necessary to implement
22 programs for the prevention of significant deterioration and for the
23 attainment of air quality standards in nonattainment areas.

24 (8) To develop and adopt standards and plans necessary to implement
25 programs to control acid deposition and to regulate the use of sulfur
26 dioxide allowances and nitrogen oxides emissions in accordance with
27 Title IV and implementing regulations adopted by the United States
28 Environmental Protection Agency.

29 (9) To regulate the oxygen content of gasoline, to require use of
30 reformulated gasoline as the Commission determines necessary, to
31 implement the requirements of Title II and implementing regulations
32 adopted by the United States Environmental Protection Agency, and to
33 develop standards and plans to implement this subdivision. Rules
34 adopted under this subdivision may specify standards for a particular
35 area of the State that differ from standards specified for other areas as
36 may be necessary to improve ambient air quality within a particular
37 area, achieve attainment or preclude violations of the National
38 Ambient Air Quality Standards, or to meet other federal requirements.
39 Rules may authorize the use of marketable oxygen credits for gasoline
40 as provided in federal requirements. Any plan requiring the use of
41 reformulated gasoline that is implemented in any area of the State
42 pursuant to this subdivision shall be discontinued when that area is
43 redesignated by the United States Environmental Protection Agency as
44 in compliance with the National Ambient Air Quality Standards for so

- 1 long as the air quality in that area remains in compliance with these
2 standards.
- 3 (10) To develop and adopt standards and plans necessary to implement
4 requirements of the federal Clean Air Act and implementing
5 regulations adopted by the United States Environmental Protection
6 Agency."
7 Sec. 2. This act is effective upon ratification.