

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 1572  
Committee Substitute Favorable 8/27/02

Short Title: Environmental Reports Amendments.

(Public)

Sponsors:

Referred to:

June 6, 2002

A BILL TO BE ENTITLED

AN ACT TO AMEND OR REPEAL VARIOUS ENVIRONMENTAL REPORTING  
REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL  
REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-203 is repealed.

**SECTION 2.** Section 13.4 of S.L. 1999-329 reads as rewritten:

"Section 13.4. The ~~Environmental Management Commission~~ Department of Environment and Natural Resources shall report to the Environmental Review Commission on or before 1 October 2002 and on or before 1 October 2003 on its progress in implementing the Lagoon Conversion Plan pursuant to the letter from Governor James B. Hunt, Jr. to Dr. David Moreau, Chairman, Environmental Management Commission, dated 13 May 1999, as a part of each quarterly report the Environmental Management Commission makes to the Environmental Review Commission pursuant to G.S. 143B-282(b). Two-Year Action Plan for Livestock Operations."

**SECTION 3.** G.S. 113-145.6A reads as rewritten:

**"§ 113-145.6A. Clean Water Management Trust Fund: reporting requirement.**

(a) The Chair of the Board of Trustees shall report each year by ~~November-1 December~~ to the Joint Legislative Commission on Governmental Operations, the Environmental Review Commission and Commission, the Subcommittees on Natural and Economic Resources of the House of Representatives and Senate Appropriations Committees-Committees, and the Fiscal Research Division of the General Assembly regarding the implementation of this Article. A written copy of the report shall also be sent to the Fiscal Research Division of the General Assembly by November 1 each year.

(b) ~~No later than November 1, 1997, and quarterly thereafter, the Chair of the Trustees shall submit to the Joint Legislative Commission on Governmental Operations, the Environmental Review Commission and the Subcommittees on Natural and Economic Resources of the House of Representatives and Senate Appropriations~~

1 ~~Committees~~ The report shall include a list of the projects awarded grants from the Fund  
2 ~~that quarter. for the previous 12-month period.~~ The list shall include for each project a  
3 description of the project, the amount of the grant awarded for the project, and the total  
4 cost of the project. ~~A written copy of the list and other information regarding the~~  
5 ~~projects shall also be sent to the Fiscal Research Division of the General Assembly by~~  
6 ~~November 1, 1997, and for each subsequent quarter."~~

7 **SECTION 4.** G.S. 130A-294(i) reads as rewritten:

8 "(i) The Department shall develop a comprehensive hazardous waste management  
9 plan for the State. ~~This plan shall be completed by July 1, 1990 and shall be revised at~~  
10 ~~two year intervals thereafter. State and shall revise the plan on or before 1 July of even-~~  
11 ~~numbered years.~~ The Department shall report to the Environmental Review  
12 Commission on or before 1 October of each year on the implementation of the  
13 comprehensive hazardous waste management plan. The report shall include an  
14 evaluation of how well the State and private parties are managing and cleaning up  
15 hazardous waste. The report shall also include make recommendations to the Governor,  
16 ognizant State agencies, and the General Assembly on ways to: improve waste  
17 management; reduce the amount of waste generated; maximize resource recovery,  
18 reuse, and conservation; and minimize the amount of hazardous waste which must be  
19 disposed of."

20 **SECTION 5.** G.S. 143-215.9A reads as rewritten:

21 "**§ 143-215.9A. Reports.**

22 (a) The Department shall ~~submit quarterly status reports~~ report to the  
23 Environmental Review Commission and the Fiscal Research Division ~~as required by~~  
24 ~~this section. on or before 1 October of each year on the status of facilities discharging~~  
25 into surface waters during the previous fiscal year. ~~Each~~ The report shall include:

- 26 (1) The names and locations of all persons permitted under G.S.  
27 143-215.1(c).
- 28 (2) The number of compliance inspections of persons permitted under  
29 G.S. 143-215.1(c) that the Department has conducted since the last  
30 ~~report and the total number of inspections for that calendar year.~~ report.
- 31 (3) The number of violations found during each inspection, including the  
32 date on which the violation occurred and the nature of the violation;  
33 the status of enforcement actions taken and pending; and the penalties  
34 imposed, collected, and in the process of being negotiated for each  
35 ~~such~~ violation.
- 36 (4) Any other information that the Department determines to be  
37 appropriate or that is requested by the Environmental Review  
38 Commission or the Fiscal Research Division.

39 (b) The information to be included in the ~~reports~~ report pursuant to subsection (a)  
40 of this section shall be itemized by each regional office of the Department, with totals  
41 for the State indicated.

42 (c) ~~The Department shall submit the quarterly status reports required by this~~  
43 ~~section for the previous calendar quarter no later than 15 October, 15 January, 15 April,~~  
44 ~~and 15 July."~~

1           **SECTION 6.** G.S. 143-215.94M reads as rewritten:

2   "**§ 143-215.94M. Reports.**

3       (a) The Secretary shall present a ~~semiannual~~ an annual report to the  
4 Environmental Review Commission which shall include at least the following:

5           (1) A list of all discharges or releases of petroleum from underground  
6 storage tanks;

7           (2) A list of all cleanups requiring State funding through the  
8 Noncommercial Fund and a comprehensive budget to complete such  
9 cleanups;

10          (3) A list of all cleanups undertaken by tank owners or operators and the  
11 status of these cleanups;

12          (4) A statement of receipts and disbursements for both the Commercial  
13 Fund and the Noncommercial Fund;

14          (5) A statement of all claims against both the Commercial Fund and the  
15 Noncommercial Fund, including claims paid, claims denied, pending  
16 claims, anticipated claims, and any other obligations;

17          (6) The adequacy of both the Commercial Fund and the Noncommercial  
18 Fund to carry out the purposes of this Part together with any  
19 recommendations as to measures that may be necessary to assure the  
20 continued solvency of the Commercial Fund and the Noncommercial  
21 Fund; and

22          (7) A statement of the condition of the Loan Fund and a summary of all  
23 activity under the Loan Fund.

24       (b) The ~~semiannual reports~~ report required by this section shall be made by the  
25 Secretary on or before 1 March and 1 September of each ~~year beginning 1 March~~  
26 1992-year."

27           **SECTION 7.** This act is effective when it becomes law.