

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE BILL 897\*  
Committee Substitute Favorable 4/29/03**

Short Title: Underground Storage Tank Prgm. Testing Req.

(Public)

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Sponsors:

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Referred to:

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April 7, 2003

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE ENVIRONMENTAL MANAGEMENT  
2 COMMISSION TO ADOPT TEMPORARY AND PERMANENT RULES TO  
3 REDUCE CERTAIN TESTING REQUIREMENTS APPLICABLE TO THE  
4 LEAKING UNDERGROUND STORAGE TANK CLEANUP PROGRAM IN  
5 ORDER TO REDUCE COSTS.  
6

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** In order to reduce costs associated with the assessment and  
9 cleanup of discharges and releases of petroleum from petroleum underground storage  
10 tanks, the Environmental Management Commission may adopt temporary and  
11 permanent rules to modify the testing requirement set out in 15A NCAC 2L.0115  
12 (Risk-Based Assessment and Corrective Action for Petroleum Underground Storage  
13 Tanks). Prior to the adoption of temporary rules under this section, the Commission  
14 shall:

- 15 (1) Consult with persons who may be interested in the subject matter of  
16 the temporary rule during the development of the text of the proposed  
17 temporary rule.  
18 (2) Notify persons on the mailing list that the Commission maintains  
19 pursuant to G.S. 150B-21.2(d) of its intent to adopt a temporary rule.  
20 (3) Publish a notice of intent to adopt a temporary rule in the North  
21 Carolina Register. The notice shall set out the text of the proposed  
22 temporary rule and include the name of the person to whom questions  
23 and written comments on the proposed rule may be submitted. The  
24 Commission shall accept written comments on the proposed temporary  
25 rule for at least 30 days after the notice of intent to adopt the  
26 temporary rule as published in the North Carolina Register.  
27 (4) Hold at least one public hearing on the proposed temporary rule.

28 **SECTION 2.** This act is effective when it becomes law.