

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 819*
Committee Substitute Favorable 5/10/07

Short Title: Amend Environmental Laws 2007.

(Public)

Sponsors:

Referred to:

March 15, 2007

A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN ENVIRONMENTAL LAWS TO PROVIDE THAT:

(1) AN APPLICATION FOR A CONSTRUCTION PERMIT FOR A PRIVATE DRINKING WATER WELL THAT IS TO BE LOCATED ON A SITE ON WHICH A WASTEWATER SYSTEM IS LOCATED MAY BE ACCOMPANIED BY A SITE PLAN RATHER THAN A PLAT; (2) PROOF OF COMPLETION OF ANY REQUIRED PROFESSIONAL DEVELOPMENT IS REQUIRED FOR RENEWAL OF A WELL CONTRACTOR CERTIFICATE; AND (3) CIVIL PENALTIES COLLECTED BY THE DEPARTMENT OR OTHER STATE AGENCY UNDER ARTICLE 4 OF CHAPTER 113A OF THE GENERAL STATUTES SHALL BE USED AS PROVIDED IN SECTION 7 OF ARTICLE IX OF THE CONSTITUTION OF NORTH CAROLINA, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 87-97(d) reads as rewritten:

"(d) Well Site Evaluation. – The local health department shall conduct a field investigation to evaluate the site on which a private drinking water well is proposed to be located before issuing a permit pursuant to this section. The field investigation shall determine whether there is any abandoned well located on the site, and if so, the construction permit shall be conditioned upon the proper closure of all abandoned wells located on the site in accordance with the requirements of this Article and rules adopted pursuant to this Article. If a private drinking water well is proposed to be located on a site on which a wastewater system subject to the requirements of Article 11 of Chapter 130A of the General Statutes is located or proposed to be located, the application for a construction permit shall be accompanied by a ~~plat,~~ plat or site plan, as defined in G.S. 130A-334."

SECTION 2. G.S. 87-98.7(b) reads as rewritten:

"(b) Renewal. – A certificate shall be renewed annually by payment of the annual fee and proof that the applicant has completed any professional development hours as

1 may be required by the rules of the Commission. A person who fails to renew a
2 certificate within 30 days of the expiration of the certificate must reapply for
3 certification under this Article."

4 **SECTION 3.** G.S. 113A-64(a)(5) reads as rewritten:

5 "(5) The clear proceeds of civil penalties collected by the Department or
6 other State agency under this subsection shall be remitted to the Civil
7 Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.
8 Civil penalties collected by a local government under this subsection
9 shall be ~~credited to the general fund of the local government as nontax~~
10 ~~revenue used as provided in Section 7 of Article IX of the Constitution~~
11 of North Carolina."

12 **SECTION 4.** This act is effective when it becomes law.