

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2205*

Short Title: Haz Waste Facility/State Boundaries.

(Public)

Sponsors: Representatives Church; J. Crawford and Green.

Referred to: Rules.

May 31, 1990

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE SITING OF A HAZARDOUS WASTE FACILITY,
OPERATED PURSUANT TO CHAPTER 130B OF THE GENERAL STATUTES,
WITHIN THIRTY-FIVE MILES OF THE STATE BOUNDARIES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130B-11(c) reads as rewritten:

"(c) In addition to any other site selection criteria adopted by the Commission, the following criteria shall apply to the selection of sites for hazardous waste treatment facilities:

- (1) A site shall be accessible to the Interstate Highway System by a highway having not less than two travel lanes in each direction (four-lane highway).
- (2) In evaluating potential sites, the Commission shall give preference to those sites which minimize the travel distance between the site and the Interstate Highway System.
- (3) A site shall not be located in or on wetlands, existing State or national parks or forests, existing historical sites, and existing wildlife refuges.
- (4) A site shall not be located in or on land on which a fish hatchery is located, Indian reservations, or federal military reservations.
- (5) A site shall not be located within 35 miles of the boundaries of North Carolina."

Sec. 2. There is appropriated from the General Fund to the North Carolina Hazardous Waste Management Commission the sum of \$10,000 for the 1990-91 fiscal

1 year to be used for the Commission to revise its rules, procedures, and site selection
2 process so that they are consistent with the provisions of Section 1 of this act.

3 Sec. 3. Section 1 of this act is effective upon ratification and applies to any
4 application for a new or draft license or permit pursuant to Chapter 130B of the General
5 Statutes that is pending or that is filed on or after that date. Section 2 of this act shall
6 become effective July 1, 1990.