

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** SB 643, Committee Substitute

**SHORT TITLE:** Sewer System Moratorium Notice

**SPONSOR(S):** Senators Odom, Hobbs, Conder, Plyler, Sherron, Parnell, and Blackmon

**FISCAL IMPACT:** Expenditures: Increase (x) Decrease ( )  
Revenues: Increase ( ) Decrease ( )  
No Impact ( )  
No Estimate Available ( )

**FUNDS AFFECTED:** General Fund ( ) Highway Fund ( ) Local Fund (x)  
Other Fund ( )

**BILL SUMMARY:**

SB 643 SEWER SYSTEM MORATORIUM NOTICE. TO PROVIDE FOR PRIOR NOTICE OF SEWER SYSTEM MORATORIA TO THE AFFECTED UNIT OF GOVERNMENT AND TO THE PUBLIC. Amends GS 143-215.67 to require 90 days published notice before the Environmental Management Commission applies a sewer system moratorium pursuant to the section. Provides that nothing in the subsection adding the notice requirement is to prohibit discharge of wastes into a system subject to a moratorium from any person holding a valid building permit before the notice is published.

SB 643 COMMITTEE SUBSTITUTE, ADOPTED MAY 4, 1995 SEWER SYSTEM MORATORIUM NOTICE. Senate committee substitute replaces substantive provisions of original bill. Now amends GS 143-215.67 to provide that current prohibition against discharging wastes or air contaminants to waste-disposal system or air-cleaning device in excess of system capacity does not prohibit discharge to a treatment works operated by public utility or local government in excess of capacity of the plan by any person holding a valid building permit issued before notice of moratorium on additional waste discharge. Authorizes Environmental Management Comm'n, upon 45-day notice, to issue moratorium on additional discharge to any treatment works not capable of handling more. Requires public utility or local government operating treatment works to give newspaper notice of moratorium on discharge of additional waste within 15 days of receiving moratorium notice from EMC.

**EFFECTIVE DATE:** October 1, 1995

**PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:**

Department of Environment, Health, and Natural Resources  
Division of Environmental Management, Water Quality Section

**FISCAL IMPACT**

	<u>FY95-96</u>	<u>FY96-97</u>	<u>FY97-98</u>	<u>FY98-99</u>	<u>FY99-00</u>
<b>EXPENDITURES</b>					
<b>RECURRING</b>	\$9,000	\$9,000	\$9,000	\$9,000	\$9,000
<b>NON-RECURRING</b>					

**POSITIONS:**

**ASSUMPTIONS AND METHODOLOGY:**

The Department of Environment, Health and Natural Resources projects that an average of eighteen (18) facilities will be placed on sewer moratorium each year. This estimate is based on the number of sewer moratoriums during 1994 and six (6) moratoriums issued during the first four months of 1995.

The committee substitute makes it the responsibility of the public utility or local government unit operating the treatment works to give proper public notice of the moratorium on additional waste. The average cost to publish the required notice of the moratorium in a newspaper is approximately \$500 per notice.

**SOURCES OF DATA:**

Department of Environment, Health, and Natural Resources  
Division of Environmental Management, Water Quality Section

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION**

733-4910

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**APPROVED BY:** Tom Covington **TomC**

**DATE:** May 8, 1995

[FRD#003]



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