

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

**SESSION LAW 2002-148  
HOUSE BILL 1572**

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**SECTION 1.** G.S. 136-203 is repealed.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 Committees-The report shall include a list of the projects awarded grants from the Fund that quarter-for the previous 12-month period. The list shall include for each project a description of the project, the amount of the grant awarded for the project, and the total cost of the project. A written copy of the list and other information regarding the projects shall also be sent to the Fiscal Research Division of the General Assembly by November 1, 1997, and for each subsequent quarter."~~

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

"(i) ~~The Department shall develop a comprehensive hazardous waste management plan for the State. This plan shall be completed by July 1, 1990 and shall be revised at two-year intervals thereafter. State and shall revise the plan on or before 1 July of even-numbered years. The Department shall report to the Environmental Review Commission on or before 1 October of each year on the implementation of the comprehensive hazardous waste management plan. The report shall include an evaluation of how well the State and private parties are managing and cleaning up hazardous waste. The report shall also include make-recommendations to the Governor, cognizant State agencies, and the General Assembly on ways to: improve waste~~

management; reduce the amount of waste generated; maximize resource recovery, reuse, and conservation; and minimize the amount of hazardous waste which must be disposed of."

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

**"§ 143-215.9A. Reports.**

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

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

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

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

**SECTION 6.** G.S. 143-215.10M reads as rewritten:

**"§ 143-215.10M. Reports.**

(a) The Department shall ~~submit quarterly status reports~~ report to the Environmental Review Commission and the Fiscal Research Division on or before 1 October of each year as required by this section. Each report shall include:

- (1) The number of permits for animal waste management systems, itemized by type of animal subject to such permits, issued since the last ~~report and a total for that calendar year report.~~
- (2) The number of operations reviews of animal waste management systems that the Division of Soil and Water Conservation has conducted since the last ~~report and a total for that calendar year report.~~
- (3) The number of operations reviews of animal waste management systems conducted by agencies other than the Division of Soil and Water Conservation that have been conducted since the last ~~report and a total for that calendar year report.~~
- (4) The number of reinspections associated with operations reviews conducted by the Division of Soil and Water Conservation since the last ~~report and a total for that calendar year report.~~
- (5) The number of reinspections associated with operations reviews conducted by agencies other than the Division of Soil and Water Conservation since the last ~~report and a total for that calendar year report.~~
- (6) The number of compliance inspections of animal waste management systems that the Division of Water Quality has conducted since the last ~~report and a total for that calendar year report.~~

- (7) The number of follow-up inspections associated with compliance inspections conducted by the Division of Water Quality since the last ~~report and a total for that calendar year report.~~
- (8) The average length of time for each category of reviews and inspections under subdivisions (2) through (7) of this subsection.
- (9) The number of violations found during each category of review and inspection under subdivisions (2) through (7) of this subsection, the status of enforcement actions taken and pending, and the penalties imposed, collected, and in the process of being negotiated for each such violation.
- (10) Any other information that the Department determines to be appropriate or that is requested by the Environmental Review Commission or the Fiscal Research Division.

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

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

**SECTION 7.** G.S. 143-215.94M reads as rewritten:

**"§ 143-215.94M. Reports.**

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

- (1) A list of all discharges or releases of petroleum from underground storage tanks;
- (2) A list of all cleanups requiring State funding through the Noncommercial Fund and a comprehensive budget to complete such cleanups;
- (3) A list of all cleanups undertaken by tank owners or operators and the status of these cleanups;
- (4) A statement of receipts and disbursements for both the Commercial Fund and the Noncommercial Fund;
- (5) A statement of all claims against both the Commercial Fund and the Noncommercial Fund, including claims paid, claims denied, pending claims, anticipated claims, and any other obligations;
- (6) The adequacy of both the Commercial Fund and the Noncommercial Fund to carry out the purposes of this Part together with any recommendations as to measures that may be necessary to assure the continued solvency of the Commercial Fund and the Noncommercial Fund; and
- (7) A statement of the condition of the Loan Fund and a summary of all activity under the Loan Fund.

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

**SECTION 8.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 26<sup>th</sup> day of  
September, 2002.

s/ Beverly E. Perdue  
President of the Senate

s/ James B. Black  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 2:27 p.m. this 9<sup>th</sup> day of October, 2002