

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 1258*

Short Title: Environmental Reports Amendments. (Public)

Sponsors: Senators Albertson; Clodfelter and Odom.

Referred to: Agriculture/Environment/Natural Resources.

June 6, 2002

1 A BILL TO BE ENTITLED
2 AN ACT TO REPEAL, AMEND, AND CODIFY VARIOUS ENVIRONMENTAL
3 REPORTING REQUIREMENTS, AS RECOMMENDED BY THE
4 ENVIRONMENTAL REVIEW COMMISSION.

5 The General Assembly of North Carolina enacts:

6 **PART I. REPORTING REQUIREMENT REPEALED**

7 **SECTION 1.1.** G.S. 136-203 is repealed.

8 **PART II. REPORTING REQUIREMENTS AMENDED**

9 **SECTION 2.1.** Section 13.4 of S.L. 1999-329 reads as rewritten:

10 "Section 13.4. The ~~Environmental Management Commission~~ Department of
11 Environment and Natural Resources shall report to the Environmental Review
12 Commission on or before 1 September 2002 and on or before 1 September 2003 on its
13 progress in implementing the ~~Lagoon Conversion Plan~~ pursuant to the letter from
14 ~~Governor James B. Hunt, Jr. to Dr. David Moreau, Chairman, Environmental~~
15 ~~Management Commission, dated 13 May 1999, as a part of each quarterly report the~~
16 ~~Environmental Management Commission makes to the Environmental Review~~
17 ~~Commission pursuant to G.S. 143B-282(b).~~ Two-Year Action Plan for Livestock
18 Operations."

19 **SECTION 2.2.** G.S. 113-145.6A reads as rewritten:

20 "**§ 113-145.6A. Clean Water Management Trust Fund: reporting requirement.**

21 (a) The Chair of the Trustees shall report each year by November 1 to the Joint
22 Legislative Commission on Governmental Operations, the Environmental Review
23 Commission and the Subcommittees on Natural and Economic Resources of the House
24 of Representatives and Senate Appropriations Committees regarding the
25 implementation of this Article. A written copy of the report shall also be sent to the
26 Fiscal Research Division of the General Assembly by November 1 each year.

27 (b) ~~No later than November 1, 1997, and quarterly thereafter, On or before~~
28 November 1 of each year, the Chair of the Trustees shall submit to the Joint Legislative
29 Commission on Governmental Operations, the Environmental Review Commission and

1 Commission, the Subcommittees on Natural and Economic Resources of the House of
2 Representatives and Senate Appropriations Committees—Committees, and the Fiscal
3 Research Division of the General Assembly a list of the projects awarded grants from
4 the Fund that quarter. The list shall include for each project a description of the project,
5 the amount of the grant awarded for the project, and the total cost of the project. A
6 written copy of the list and other information regarding the projects shall also be sent to
7 the Fiscal Research Division of the General Assembly by November 1, 1997, and for
8 each subsequent quarter."

9 **SECTION 2.3.** G.S. 130A-294(i) reads as rewritten:

10 "(i) The Department shall develop a comprehensive hazardous waste management
11 plan for the State. This plan shall be completed by July 1, 1990 and shall be revised at
12 two-year intervals thereafter. The Department shall report to the Environmental Review
13 Commission on or before September 1 of each year on the implementation of the
14 comprehensive hazardous waste management plan. The report shall include an
15 evaluation of how well the State and private parties are managing and cleaning up
16 hazardous waste. The report shall also include make recommendations to the Governor,
17 ognizant State agencies, and the General Assembly on ways to: improve waste
18 management; reduce the amount of waste generated; maximize resource recovery,
19 reuse, and conservation; and minimize the amount of hazardous waste which must be
20 disposed of."

21 **SECTION 2.4.** G.S. 143-215.9A reads as rewritten:

22 **"§ 143-215.9A. Reports.**

23 (a) The Department shall submit quarterly status reports—report to the
24 Environmental Review Commission and the Fiscal Research Division as required by
25 this section, on or before September 1 of each year on the status of discharges into
26 surface waters. Each—The report shall include:

- 27 (1) The names and locations of all persons permitted under G.S.
28 143-215.1(c).
- 29 (2) The number of compliance inspections of persons permitted under
30 G.S. 143-215.1(c) that the Department has conducted since the last
31 report and the total number of inspections for that calendar year report.
- 32 (3) The number of violations found during each inspection, including the
33 date on which the violation occurred and the nature of the violation;
34 the status of enforcement actions taken and pending; and the penalties
35 imposed, collected, and in the process of being negotiated for each
36 such violation.
- 37 (4) Any other information that the Department determines to be
38 appropriate or that is requested by the Environmental Review
39 Commission or the Fiscal Research Division.

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

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

4 **SECTION 2.5.** G.S. 143-215.94M reads as rewritten:

5 **"§ 143-215.94M. Reports.**

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

8 (1) A list of all discharges or releases of petroleum from underground
9 storage tanks;

10 (2) A list of all cleanups requiring State funding through the
11 Noncommercial Fund and a comprehensive budget to complete such
12 cleanups;

13 (3) A list of all cleanups undertaken by tank owners or operators and the
14 status of these cleanups;

15 (4) A statement of receipts and disbursements for both the Commercial
16 Fund and the Noncommercial Fund;

17 (5) A statement of all claims against both the Commercial Fund and the
18 Noncommercial Fund, including claims paid, claims denied, pending
19 claims, anticipated claims, and any other obligations;

20 (6) The adequacy of both the Commercial Fund and the Noncommercial
21 Fund to carry out the purposes of this Part together with any
22 recommendations as to measures that may be necessary to assure the
23 continued solvency of the Commercial Fund and the Noncommercial
24 Fund; and

25 (7) A statement of the condition of the Loan Fund and a summary of all
26 activity under the Loan Fund.

27 (b) ~~The semiannual reports~~ report required by this section shall be made by the
28 Secretary on or before 1 March and 1 September of each year ~~beginning 1 March~~
29 ~~1992-year."~~

30 **PART III. EFFECTIVE DATE**

31 **SECTION 3.1.** This act is effective when it becomes law.