

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1572
Committee Substitute Favorable 8/27/02
Senate Agriculture/Environment/Natural Resources Committee Substitute
Adopted 9/24/02

Short Title: Environmental Reports Amendments.

(Public)

Sponsors:

Referred to:

June 6, 2002

A BILL TO BE ENTITLED

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 G.S. 136-203 is repealed.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~~ 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,~~

1 ~~the Environmental Review Commission and the Subcommittees on Natural and~~
2 ~~Economic Resources of the House of Representatives and Senate Appropriations~~
3 ~~Committees. The report shall include a list of the projects awarded grants from the Fund~~
4 ~~that quarter. for the previous 12-month period.~~ The list shall include for each project a
5 description of the project, the amount of the grant awarded for the project, and the total
6 cost of the project. ~~A written copy of the list and other information regarding the~~
7 ~~projects shall also be sent to the Fiscal Research Division of the General Assembly by~~
8 ~~November 1, 1997, and for each subsequent quarter."~~

9 **SECTION 4.** 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. State and shall revise the plan on or before 1 July of even-~~
13 ~~numbered years. The Department shall report to the Environmental Review~~
14 ~~Commission on or before 1 October of each year on the implementation of the~~
15 ~~comprehensive hazardous waste management plan. The report shall include an~~
16 ~~evaluation of how well the State and private parties are managing and cleaning up~~
17 ~~hazardous waste. The report shall also include make recommendations to the Governor,~~
18 ~~eognizant~~ State agencies, and the General Assembly on ways to: improve waste
19 management; reduce the amount of waste generated; maximize resource recovery,
20 reuse, and conservation; and minimize the amount of hazardous waste which must be
21 disposed of."

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

23 **"§ 143-215.9A. Reports.**

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

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

41 (b) The information to be included in the ~~reports~~ report pursuant to subsection (a)
42 of this section shall be itemized by each regional office of the Department, with totals
43 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 6.** G.S. 143-215.10M reads as rewritten:

5 **"§ 143-215.10M. Reports.**

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

- 9 (1) The number of permits for animal waste management systems,
10 itemized by type of animal subject to such permits, issued since the
11 last ~~report and a total for that calendar year~~report.
- 12 (2) The number of operations reviews of animal waste management
13 systems that the Division of Soil and Water Conservation has
14 conducted since the last ~~report and a total for that calendar year~~report.
- 15 (3) The number of operations reviews of animal waste management
16 systems conducted by agencies other than the Division of Soil and
17 Water Conservation that have been conducted since the last ~~report and~~
18 ~~a total for that calendar year~~report.
- 19 (4) The number of reinspections associated with operations reviews
20 conducted by the Division of Soil and Water Conservation since the
21 last ~~report and a total for that calendar year~~report.
- 22 (5) The number of reinspections associated with operations reviews
23 conducted by agencies other than the Division of Soil and Water
24 Conservation since the last ~~report and a total for that calendar~~
25 ~~year~~report.
- 26 (6) The number of compliance inspections of animal waste management
27 systems that the Division of Water Quality has conducted since the last
28 ~~report and a total for that calendar year~~report.
- 29 (7) The number of follow-up inspections associated with compliance
30 inspections conducted by the Division of Water Quality since the last
31 ~~report and a total for that calendar year~~report.
- 32 (8) The average length of time for each category of reviews and
33 inspections under subdivisions (2) through (7) of this subsection.
- 34 (9) The number of violations found during each category of review and
35 inspection under subdivisions (2) through (7) of this subsection, the
36 status of enforcement actions taken and pending, and the penalties
37 imposed, collected, and in the process of being negotiated for each
38 such violation.
- 39 (10) Any other information that the Department determines to be
40 appropriate or that is requested by the Environmental Review
41 Commission or the Fiscal Research Division.

42 (b) The information to be included in the reports pursuant to subsection (a) of
43 this section shall be itemized by each regional office of the Department, with totals for
44 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 7.** 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 **SECTION 8.** This act is effective when it becomes law.