

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2002-24
HOUSE BILL 1584**

AN ACT TO MAKE THE STATE DEADLINE FOR APPROVAL OF HAZARD MITIGATION PLANS CONSISTENT WITH THE FEDERAL DEADLINE FOR APPROVAL OF THESE PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION, AND TO EXTEND THE DATE BY WHICH CERTAIN SMALL MUNICIPAL WASTE COMBUSTION UNITS MUST ACHIEVE COMPLIANCE WITH CERTAIN REQUIREMENTS RELATED TO THE EMISSION OF AIR POLLUTANTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 166A-6.01(b)(2) reads as rewritten:

- "(2) Public assistance. – State disaster assistance in the form of public assistance grants may be made available to eligible entities located within the disaster area on the following terms and conditions:
- a. Eligible entities shall meet the following qualifications:
 1. The eligible entity suffers a minimum of ten thousand dollars (\$10,000) in uninsurable losses;
 2. The eligible entity suffers uninsurable losses in an amount equal to or exceeding one-half percent (0.5%) of the annual operating budget;
 3. For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after ~~August 1, 2002~~, November 1, 2003, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and
 4. For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall be participating in the National Flood Insurance Program in order to receive public assistance for flooding damage.
 - b. Eligible entities shall be required to provide non-State matching funds equal to twenty-five percent (25%) of the eligible costs of the public assistance grant.
 - c. An eligible entity that receives a public assistance grant pursuant to this subsection may use the grant for the following purposes only:
 1. Debris clearance.
 2. Emergency protective measures.
 3. Roads and bridges.
 4. Crisis counseling.
 5. Assistance with public transportation needs."

SECTION 2. Notwithstanding the provisions of Section 3.4 of S.L. 2001-440 to the contrary, rules adopted by the Environmental Management Commission pursuant to Section 3.4 of S.L. 2001-440 shall include a compliance schedule that requires existing small municipal waste combustion units to achieve final compliance with the rules on and after 1 December 2004. The Environmental Management Commission shall amend rules adopted pursuant to Section 3.4 of S.L. 2001-440 to conform to the requirements of this section.

SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 8th day of July,
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 12:19 p.m. this 18th day of July, 2002