

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 1335**

Short Title: No Duplicative Regulation of Air Toxics. (Public)

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Sponsors: Representatives Gibson; Lucas and Parmon.

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Referred to: Environment and Natural Resources, if favorable, Commerce, Small Business,  
and Entrepreneurship.

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April 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO ELIMINATE STATE REGULATION OF EMISSIONS OF AIR TOXICS  
3 WHEN THESE EMISSIONS ARE REGULATED UNDER THE FEDERAL CLEAN AIR  
4 ACT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 143-215.107(a) reads as rewritten:

7 "(a) Duty to Adopt Plans, Standards, etc. – The Commission is hereby directed and  
8 empowered, as rapidly as possible within the limits of funds and facilities available to it, and  
9 subject to the procedural requirements of this Article and Article 21:

10 ...

11 (5) To develop and adopt emission control standards as in the judgment of the  
12 Commission may be necessary to prohibit, abate, or control air pollution  
13 commensurate with established air quality standards. This subdivision does  
14 not apply to ~~that portion of the National Emission Standards for Hazardous~~  
15 ~~Air Pollutants for asbestos that governs demolition and renovation as set out~~  
16 ~~in 40 C.F.R. § 61.141, 61.145, 61.150, and 61.154 (1 July 1993 edition);~~any  
17 air emission source subject to hazardous air pollutant emission standards  
18 under 40 C.F.R. Pts. 61 and 63.

19 ...."

20 **SECTION 2.** This act becomes effective July 1, 2009.

