

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 972

Short Title: Water Safety Act. (Public)

Sponsors: Representatives Davis, Grange, Iler, and Brisson (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Environment, if favorable, Appropriations

May 21, 2018

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT MEASURES TO ADDRESS PER- AND POLY-FLUOROALKYL
3 SUBSTANCES, INCLUDING GENX, AND OTHER EMERGING CONTAMINANTS.

4 The General Assembly of North Carolina enacts:

5
6 **AUTHORIZE THE GOVERNOR, UNDER CERTAIN CIRCUMSTANCES, TO**
7 **REQUIRE A FACILITY TO CEASE ALL OPERATIONS AND ACTIVITIES THAT**
8 **RESULT IN THE PRODUCTION OF A POLLUTANT**

9 SECTION 1.(a) G.S. 143-215.3 reads as rewritten:

10 "§ 143-215.3. **General powers of ~~Commission and Department~~; Commission, Department,**
11 **and Governor; auxiliary powers.**

12 ...
13 (g) The Governor is authorized to require a facility to cease all operations and activities
14 in the State that result in the production of a pollutant if all of the following circumstances exist:

- 15 (1) The facility has a National Pollutant Discharge Elimination System (NPDES)
16 permit.
17 (2) The facility has received more than one notice of violation from the
18 Department within a two-year period.
19 (3) The Department has determined that the facility has had unauthorized
20 discharges of per- and poly-fluoroalkyl substances (PFAS) into the air, surface
21 water, and groundwater and these discharges have resulted in the violation of
22 federal drinking water standards or health goals established by the North
23 Carolina Department of Health and Human Services.
24 (4) The Department has been unable to stop all further unauthorized discharges
25 from the facility that may result in the violation of federal drinking water
26 standards or health goals established by the North Carolina Department of
27 Health and Human Services within one year from the time the Department
28 first learned of the unauthorized discharges."

29 SECTION 1.(b) This section is effective when it becomes law and expires December
30 31, 2020.

31
32 **REQUIRE ESTABLISHMENT OF PERMANENT REPLACEMENT WATER**
33 **SUPPLIES FOR HOUSEHOLDS WITH DRINKING WATER WELLS**
34 **CONTAMINATED BY PER- AND POLY-FLUOROALKYL SUBSTANCES**



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1 **SECTION 2.(a)** Article 21 of Chapter 143 of the General Statutes is amended by
2 adding a new section to read:

3 **"§ 143-215.2A. Relief for contaminated private drinking water wells.**

4 (a) The Secretary shall, upon direction of the Governor, order any person who the
5 Secretary finds responsible for the discharge of industrial waste that includes per- and
6 poly-fluoroalkyl substances (PFAS), including the chemical known as "GenX" (CAS registry
7 number 62037-80-3 or 13252-13-6), into the air, groundwater, surface water, or onto the land
8 that results in contamination of a private drinking water well, as that term is defined in
9 G.S. 87-85, to establish permanent replacement water supplies for each household with such a
10 well. For purposes of this section, the term "contamination" means an exceedance of a health
11 goal established by the Department of Health and Human Services or an exceedance of a health
12 advisory standard established by the United States Environmental Protection Agency, for any
13 chemical classified as a PFAS.

14 (b) If the Secretary orders a person responsible for the discharge of a PFAS that results
15 in contamination of a private drinking water well to establish a permanent replacement water
16 supply for a household with such a well pursuant to subsection (a) of this section, the replacement
17 water supply shall be established by connection to a public water supply, except that an affected
18 household may elect to receive a whole house filtration system in lieu of a connection to public
19 water supply, in which case the person responsible shall install a filtration system. For households
20 for which filtration systems are installed, the person responsible shall be liable for any periodic
21 required maintenance of the filtration system. An order issued by the Secretary pursuant to
22 subsection (a) of this section shall include a deadline by which the responsible person must
23 establish the permanent replacement water supply for the household or households subject to the
24 order.

25 (c) An order issued by the Secretary pursuant to subsection (a) of this section shall be
26 delivered by registered or certified mail, or by any means authorized by G.S. 1A-1, Rule 4, to the
27 person ordered to establish the permanent replacement water supply and shall include detailed
28 findings of fact and conclusions in support of the order. A person to whom such order is issued
29 may commence a contested case by filing a petition under G.S. 150B-23 within 30 days after
30 receipt of notice of the order. If the person does not file a petition within the required time, the
31 Secretary's decision is final and is not subject to review.

32 (d) A person required to establish a permanent replacement water supply pursuant to this
33 section shall be jointly and severally liable for all costs associated with establishment of the
34 permanent replacement water supply. The remedy under this section is in addition to those
35 provided by existing statutory and common law.

36 (e) Nothing in this section shall be construed to (i) require an eligible household to
37 connect to a public water supply or receive a filtration system or (ii) obviate the need for other
38 federal, State, and local permits and approvals.

39 (f) All State entities and local governments shall expedite any permits and approvals that
40 may be required for establishment of permanent replacement water supplies ordered pursuant to
41 this section."

42 **SECTION 2.(b)** In order to ensure the expeditious establishment of alternative
43 permanent water supplies for each household that has a private drinking water well with
44 contamination from the discharge of industrial waste that includes PFAS, in accordance with the
45 requirements of G.S. 143-215.2A, the sum of two million dollars (\$2,000,000) in nonrecurring
46 funds for the 2017-2018 fiscal year is appropriated from the unappropriated balance remaining
47 in the General Fund to the Division of Water Infrastructure of the Department of Environmental
48 Quality to provide funding to local governments for necessary expenditures that local
49 governments may incur as a result of activities to connect such households to public water
50 supplies pursuant to an order issued under G.S. 143-215.2A. The funds appropriated herein shall
51 be deposited into the PFAS Recovery Fund, which shall be established within the Department.

1 Funds appropriated by this section shall not revert but shall remain available for nonrecurring
2 expenses. The Department may distribute funds to local governments solely for the purposes of
3 planning and analysis and surveying of waterline extensions for households subject to an order
4 issued pursuant to G.S. 143-215.2A. No later than 30 days after completion of a local
5 government's activities to connect a household to a public water supply pursuant to
6 G.S. 143-215.2A, the Secretary shall deliver a statement of all funds paid from the PFAS
7 Recovery Fund to the local government and the costs expended by the local government for such
8 activities and issue an order demanding reimbursement from the person responsible to whom an
9 order was issued under G.S. 143-215.2A. The statement shall be delivered by registered or
10 certified mail, or by any means authorized by G.S. 1A-1, Rule 4, to the responsible person. If the
11 responsible person refuses to pay the sum identified, or fails to pay such sum within the time
12 specified in the order, the Secretary shall bring an action for reimbursement of the PFAS
13 Recovery Fund in the name of the State in the superior court of the county in which the funds
14 were expended to recover such sum and the cost of bringing the action. Funds appropriated by
15 this section shall not revert but shall continue to be available. The Department shall report on
16 activities conducted and funds expended pursuant to this section on a quarterly basis to the
17 Environmental Review Commission beginning September 1, 2018.

18
19 **FUNDS TO THE CAPE FEAR PUBLIC UTILITY AUTHORITY FOR WATER**
20 **QUALITY SAMPLING, AND TESTING OF TREATMENT TECHNIQUES, TO**
21 **ADDRESS PER- AND POLY-FLUOROALKYL SUBSTANCES, INCLUDING GENX,**
22 **AND OTHER CONTAMINANTS**

23 **SECTION 3.** The sum of four hundred fifty thousand dollars (\$450,000) in
24 nonrecurring funds for the 2018-2019 fiscal year is appropriated from the unappropriated balance
25 remaining in the General Fund to the Division of Water Resources of the Department of
26 Environmental Quality for grants to be allocated to the Cape Fear Public Utility Authority to
27 implement a program to:

- 28 (1) Perform nontargeted sampling of finished drinking water from the Authority's
29 Sweeney Water Treatment Plant and in its Aquifer Storage and Recovery Well
30 (ASR) to identify levels of per- and poly-fluoroalkyl substances ("PFAS"),
31 including the chemical known as "GenX" (CAS registry number 62037-80-3
32 or 13252-13-6), that may be included in the water and identify whether and to
33 what degree other contaminants may be present, including 1,4-dioxane, total
34 organic halogens, and proxies of wastewater contaminants (including
35 sucralose and pharmaceuticals) in water samples.
- 36 (2) After establishing the baseline pursuant to testing conducted pursuant to
37 subdivision (1) of this section, the Authority shall test the effectiveness of ion
38 exchange and activated carbon technologies for treatment of PFAS and any
39 other contaminants that may be identified in the baseline testing. In so doing,
40 the Authority shall (i) install temporary ion exchange and carbon treatment
41 systems suitable to treat 500 gallons per minute (GPM) flow as a minimum
42 capacity and modify existing piping from the Plant and ASR to connect to the
43 temporary treatment systems; (ii) after installation of the temporary treatment
44 systems, test the water treated weekly, before and after treatment by ion
45 exchange and activated carbon, over a period of six weeks at increasing flow
46 rates to determine the relative effectiveness of the two technologies at
47 reducing contaminants; and (iii) after determination of the most successful
48 treatment technology at a high flow of 500 GPM, continue sampling water
49 treated by the technology at two-week intervals thereafter.

50 The Authority shall submit an interim report on activities conducted pursuant to this
51 section to the House Select Committee on North Carolina River Quality, the Senate Select

1 Committee on North Carolina River Water Quality, and the Environmental Review Commission
2 no later than December 1, 2018, and a final report with sampling results and treatment data no
3 later than June 1, 2019.
4

5 **REQUIRE THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO DEVELOP A**
6 **PLAN FOR REMEDIATION OF GROUNDWATER AND SURFACE WATER**
7 **CONTAMINATED WITH PER- AND POLY-FLUOROALKYL SUBSTANCES,**
8 **INCLUDING GENX**

9 **SECTION 4.(a)** The Department of Environmental Quality shall develop a plan for
10 the remediation of groundwater and surface water for which testing has demonstrated the
11 presence of per- and poly-fluoroalkyl substances (PFAS), including the chemical known as
12 "GenX" (CAS registry number 62037-80-3 or 13252-13-6), from the discharge of industrial
13 waste. The plan shall include:

- 14 (1) A process for identifying all groundwater and surface water sources for which
15 testing has demonstrated the presence of PFAS from the discharge of
16 industrial waste.
- 17 (2) A process for identifying all private and public drinking water supplies that
18 (i) are currently impacted by the presence of PFAS in groundwater or surface
19 water sources or (ii) may be expected to be impacted by the presence of PFAS
20 in groundwater or surface water sources based upon groundwater modeling
21 and hydrogeologic, geologic, and geotechnical investigations, and the results
22 of other modeling or investigations that may be conducted, which provide a
23 reasonable basis to predict that a drinking water supply may be adversely
24 impacted by the presence of PFAS at a future date.
- 25 (3) Proposed methods for developing information on the source, known or
26 suspected, for the PFAS present in each groundwater or surface water
27 identified.
- 28 (4) Proposed methods for eliminating the presence of PFAS in groundwater or
29 surface waters.
- 30 (5) A proposed schedule for implementation of plans for corrective action for
31 groundwater or surface water contaminated with PFAS from the discharge of
32 industrial waste by persons responsible for such discharge.
- 33 (6) A monitoring plan for evaluating the effectiveness of a proposed corrective
34 action and detecting movement of any contaminant plumes.
- 35 (7) Any other information related to the remediation of groundwater or surface
36 water with the presence of PFAS that the Department deems relevant.

37 **SECTION 4.(b)** The Department shall submit the plan to the Environmental Review
38 Commission no later than January 1, 2019.
39

40 **DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO CONSULT**
41 **WITH FEDERAL AGENCIES, AS WELL AS THE NORTH CAROLINA POLICY**
42 **COLLABORATORY, WHICH SHALL COORDINATE RELEVANT FACULTY**
43 **EXPERTISE WITHIN INSTITUTIONS OF HIGHER EDUCATION ACROSS THE**
44 **STATE, ON THE PROCESS FOR THE ESTABLISHMENT OF HEALTH GOALS FOR**
45 **PER- AND POLY-FLUOROALKYL SUBSTANCES, INCLUDING GENX**

46 **SECTION 5.** The Department of Health and Human Services shall consult with the
47 United States Environmental Protection Agency, the Centers for Disease Control and Prevention,
48 the Agency for Toxic Substances and Disease Registry, as well as the North Carolina Policy
49 Collaboratory at the University of North Carolina at Chapel Hill, which shall coordinate with
50 faculty experts in institutions of higher education across the State, including the Universities of
51 North Carolina at Chapel Hill and Wilmington, North Carolina State University, North Carolina

1 A&T State University, Duke University, and other public and private institutions, on the
2 Department's process for the establishment of health goals for per- and poly-fluoroalkyl
3 substances, including the chemical known as "GenX" (CAS registry number 62037-80-3 or
4 13252-13-6).

5
6 **FUNDS TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO**
7 **ESTABLISH A WATER HEALTH AND SAFETY UNIT**

8 **SECTION 6.** The sum of five hundred thirty thousand eight hundred thirty-nine
9 dollars (\$530,839) in recurring funds for the 2018-2019 fiscal year shall be appropriated from
10 the unappropriated balance remaining in the General Fund to the Department of Health and
11 Human Services to establish a Water Health and Safety Unit in the Division of Public Health for
12 the assessment of the toxicity of and impacts on human health from per- and poly-fluoroalkyl
13 substances, including the chemical known as "GenX" (CAS registry number 62037-80-3 or
14 13252-13-6), and other emerging contaminants. The Unit may include a medical risk assessor, a
15 toxicologist, an epidemiologist or informatics expert, and a health educator.

16
17 **FUNDING TO ADDRESS PER- AND POLY-FLUOROALKYL SUBSTANCES,**
18 **INCLUDING GENX/USE OF EXPERTISE AND TECHNOLOGY AVAILABLE IN**
19 **INSTITUTIONS OF HIGHER EDUCATION LOCATED WITHIN THE STATE**

20 **SECTION 7.(a)** The General Assembly finds that (i) emerging contaminants that
21 impair drinking water quality have been detected in several of the State's watersheds, such as
22 per- and poly-fluoroalkyl substances (PFAS), including the chemical known as "GenX" (CAS
23 registry number 62037-80-3 or 13252-13-6); 1,4-dioxane, and bromide; and (ii) these
24 contaminants have been discovered largely through academic research not through systematic
25 water quality monitoring programs operated by the Department of Environmental Quality or
26 other State or federal agencies. The General Assembly finds that the profound, extensive, and
27 nationally recognized faculty expertise, technology, and instrumentation existing within the
28 Universities of North Carolina at Chapel Hill and Wilmington, North Carolina State University,
29 North Carolina A&T State University, Duke University, and other public and private institutions
30 of higher education located throughout the State should be maximally utilized to address the
31 occurrence of emerging contaminants in drinking water resources.

32 **SECTION 7.(b)** The North Carolina Policy Collaboratory at the University of North
33 Carolina at Chapel Hill (NCPC) shall identify faculty expertise, technology, and instrumentation,
34 including mass spectrometers, located within institutions of higher education in the State,
35 including the Universities of North Carolina at Chapel Hill and Wilmington, North Carolina State
36 University, North Carolina A&T State University, Duke University, and other public and private
37 institutions, and coordinate these faculty and resources to conduct targeted and nontargeted
38 analysis of emerging contaminants, including, at a minimum, measurement of targeted PFAS,
39 including GenX, and other emerging contaminants such as 1,4-dioxane, total organic halogens,
40 and proxies of wastewater contaminants (including sucralose and pharmaceuticals), at all public
41 water supply surface water intakes and one public water supply well selected by each municipal
42 water system that operates groundwater wells for public drinking water supplies as identified by
43 the Department of Environmental Quality, to establish a water quality baseline for all sampling
44 sites. NCPC, in consultation with the participating institutions of higher education, shall establish
45 a protocol for the baseline testing required by this subsection, as well as a protocol for periodic
46 retesting of the municipal intakes and additional public water supply wells. No later than July 1,
47 2019, NCPC shall report the results of such sampling by identifying chemical families detected
48 at each intake to the Environmental Review Commission, the Department of Environmental
49 Quality, the Department of Health and Human Services, and the United States Environmental
50 Protection Agency.

1 **SECTION 7.(c)** Beginning October 1, 2018, NCPC shall report no less than
2 quarterly to the Environmental Review Commission, the Department of Environmental Quality,
3 and the Department of Health and Human Services on all activities conducted pursuant to this
4 section, including any findings and recommendations for any steps the Department of
5 Environmental Quality, the Department of Health and Human Services, the General Assembly,
6 or any other unit of government should take in order to address emerging contaminants.

7 **SECTION 7.(d)** The sum of eight million dollars (\$8,000,000) in nonrecurring funds
8 for the 2017-2018 fiscal year shall be appropriated from the unappropriated balance remaining
9 in the General Fund to the Board of Governors of The University of North Carolina to be
10 allocated to the NCPC to manage and implement the requirements of this act, which shall include
11 distribution to the NCPC and participating institutions of higher education (i) to cover costs
12 incurred as a result of activities conducted pursuant to this section, (ii) for acquisition or
13 modification of essential scientific instruments, or (iii) for payments of costs for sample
14 collection and analysis, training or hiring of research staff and other personnel, method
15 development activities, and data management, including dissemination of relevant data to
16 stakeholders. No overhead shall be taken from these funds from the participating institutions that
17 receive any portion of these funds. Funds appropriated by this section shall not revert but shall
18 remain available for nonrecurring expenses.

19 **SECTION 7.(e)** The NCPC should pursue relevant public and private funding
20 opportunities that may be available to address the impacts of emerging contaminants on surface
21 water and groundwater quality, as well as air quality, in order to leverage funds appropriated by
22 this section, or any other funds provided to the NCPC, including the Challenge Grant authorized
23 in Section 27.5 of S.L. 2016-94, as amended by Section 10.4(a) of S.L. 2017-57.

24 **SECTION 8.(a)** In the event that the United States Environmental Protection Agency
25 no longer provides access to its analytical instrumentation at no cost to the State for water quality
26 sampling analysis related to per- and poly-fluoroalkyl substances (PFAS), including the chemical
27 known as "GenX" (CAS registry number 62037-80-3 or 13252-13-6), and other emerging
28 contaminants, or if the Department of Environmental Quality determines that such analysis is not
29 being performed in a sufficiently timely manner, NCPC shall coordinate such analysis in the
30 most cost-effective manner using relevant faculty expertise, technology, and instrumentation,
31 including mass spectrometers, existing throughout institutions of higher education located
32 throughout the State, until such time as the Department of Environmental Quality is able to
33 perform such analysis with instrumentation acquired pursuant to Section 11 of this act. NCPC,
34 in consultation with the Department and relevant experts across institutions of higher education
35 in the State, including the Universities of North Carolina at Chapel Hill and Wilmington, North
36 Carolina State University, North Carolina A&T State University, Duke University, and other
37 public and private institutions, shall establish a protocol for delivery of such samples taken by
38 the Department to the entity designated to perform analysis of the samples, chain of custody
39 protocols, and other matters to ensure proper handling and processing of the samples, which
40 protocols shall be subject to approval by the United States Environmental Protection Agency, if
41 such approval is required pursuant to authority delegated from the United States Environmental
42 Protection Agency to the Department to administer federal environmental law.

43 **SECTION 8.(b)** NCPC shall identify faculty expertise within institutions of higher
44 education in the State, including the Universities of North Carolina at Chapel Hill and
45 Wilmington, North Carolina State University, North Carolina A&T State University, Duke
46 University, and other public and private institutions, and use technology and instrumentation
47 existing throughout the institutions to conduct the following research (i) develop quantitative
48 models to predict which private wells are most at risk of contamination from the discharge of
49 GenX, and other emerging contaminants; (ii) test the performance of granular activated carbon
50 in removing such compounds; and (iii) study the air emissions and atmospheric deposition of
51 GenX and other emerging compounds. In addition, NCPC may, using relevant faculty expertise,

1 technology, and instrumentation existing throughout institutions identified, evaluate other
2 research opportunities and conduct such research for improved water quality sampling and
3 analyses techniques, data interpretation, and potential mitigation measures that may be necessary,
4 with respect to the discharge of GenX, and other emerging contaminants.

5
6 **FUNDS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY**

7 **SECTION 9.(a)** One million three hundred thousand dollars (\$1,300,000) in
8 nonrecurring funds appropriated to the Department of Environmental Quality for the 2016-2017
9 fiscal year and allocated for in situ nutrient management by Section 14.13(e) of S.L. 2016-94, as
10 amended by Section 13.24 of S.L. 2017-57, is reallocated for the purposes described in subsection
11 (c) of this section.

12 **SECTION 9.(b)** Twenty-five thousand dollars (\$25,000) in nonrecurring funds
13 appropriated to the Rural Economic Development Division of the Department of Commerce for
14 the 2017-2018 fiscal year and provided as a grant-in-aid to the Town of Stedman by subdivision
15 (15) of Section 15.8(b) of S.L. 2017-57 is transferred to the Department of Environmental Quality
16 and allocated for the purposes described in subsection (c) of this section.

17 **SECTION 9.(c)** The funds provided to the Department of Environmental Quality by
18 subsections (a) and (b) of this section shall be allocated for the 2017-2018 fiscal year as follows:

- 19 (1) Six hundred thirteen thousand dollars (\$613,000) to the Division of Water
20 Resources for time-limited positions and operations support of water quality
21 sampling and targeted analysis of samples related to per- and poly-fluoroalkyl
22 substances (PFAS), including the chemical known as "GenX" (CAS registry
23 number 62037-80-3 or 13252-13-6), and other emerging contaminants, and to
24 purchase supplies for operation of the mass spectrometer acquired pursuant to
25 Section 11 of this act to perform targeted analysis of water samples related to
26 discharges of PFAS, including GenX, and other emerging contaminants.
- 27 (2) Two hundred thousand dollars (\$200,000) to the Division of Water Resources
28 for time-limited positions and operations support to address permitting
29 backlogs.
- 30 (3) Two hundred thirty-two thousand nine hundred fifty dollars (\$232,950) to the
31 Division of Air Quality for sampling and analysis of atmospheric deposition
32 of PFAS, including GenX, and other emerging contaminants.
- 33 (4) Two hundred seventy-nine thousand fifty dollars (\$279,050) to the Division
34 of Waste Management for sampling and analysis of PFAS, including GenX,
35 and other emerging contaminants in groundwater wells, soil, and sediment.

36 **SECTION 9.(d)** Funds reallocated by this section shall not revert but shall remain
37 available for nonrecurring expenses.

38 **SECTION 10.** The sum of four hundred seventy-nine thousand seven hundred
39 thirty-six dollars (\$479,736) in recurring funds for the 2017-2018 fiscal year is appropriated from
40 the unappropriated balance remaining in the General Fund to the Department of Environmental
41 Quality to support sampling and analysis activities in response to the statewide sampling and
42 analysis conducted pursuant to Section 7 of this act.

43 **SECTION 11.** The sum of five hundred thirty-seven thousand dollars (\$537,000) in
44 nonrecurring funds for the 2017-2018 fiscal year is appropriated from the unappropriated balance
45 remaining in the General Fund to the Department of Environmental Quality to support the
46 acquisition by the Department of a triple quadrupole (QqQ) mass spectrometer to perform
47 targeted analysis of water samples related to discharges of per- and poly-fluoroalkyl substances,
48 including the chemical known as "GenX" (CAS registry number 62037-80-3 or 13252-13-6), and
49 other emerging contaminants that are identified by testing conducted pursuant to Section 7 of this
50 act. Funds appropriated by this section shall not revert but shall remain available for nonrecurring
51 expenses.

1
2 **NPDES PERMIT HOLDERS TO SUBMIT DOCUMENTATION OF POLLUTANTS**
3 **IDENTIFIED AT TIME OF PERMIT APPLICATION**

4 **SECTION 12.** Every person with an individual National Pollutant Discharge
5 Elimination System (NPDES) permit issued by the Department of Environmental Quality shall,
6 no later than September 1, 2018, submit documentation to the Department in an electronic format
7 as prescribed by the Department that will facilitate immediate public disclosure of the pollutants
8 included in the person's discharge that the person identified in the application for the person's
9 current NPDES permit. The chemical abstracts service (CAS) number shall be provided for every
10 pollutant identified, if available. If the CAS number is unavailable, the pollutant shall otherwise
11 be described in sufficient detail so as to adequately identify the pollutant's characteristics. The
12 person submitting such documentation shall certify under oath that, to the best of the person's
13 knowledge and belief, the data is complete and accurate.
14

15 **EXEMPTION FROM STATUTORY PROVISION CONCERNING ORDER OF**
16 **APPROPRIATIONS BILLS**

17 **SECTION 13.** The provisions of G.S. 143C-5-2 do not apply to this act.
18

19 **SEVERABILITY CLAUSE AND EFFECTIVE DATE**

20 **SECTION 14.(a)** If any section or provision of this act is declared unconstitutional
21 or invalid by the courts, it does not affect the validity of this act as a whole or any part other than
22 the part declared to be unconstitutional or invalid.

23 **SECTION 14.(b)** Except as otherwise provided, this act is effective when it becomes
24 law.