

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-28
SENATE BILL 150

AN ACT TO REDUCE THE FREQUENCY OF THE REPORT ON THE INACTIVE HAZARDOUS SUBSTANCE RESPONSE ACT OF 1987 FROM ANNUALLY TO EVERY TWO YEARS AND TO CLARIFY THE PUBLIC COMMENT PERIOD ON REMEDIAL ACTION PLANS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-310.10 reads as rewritten:

"§ 130A-310.10. Annual reports.

(a) The Secretary shall present ~~an annual~~ a report on inactive hazardous sites to the General Assembly and the Environmental Review Commission which Commission. ~~The report shall include at least the following:~~ least:

- (1) The Inactive Hazardous Waste Sites Priority List;
- (2) A list of remedial action plans requiring State funding through the Inactive Hazardous Sites Cleanup Fund;
- (3) A comprehensive budget to implement these remedial action plans and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the cost of said plans;
- (4) A prioritized list of sites that are eligible for remedial action under CERCLA/SARA together with recommended remedial action plans and a comprehensive budget to implement such plans. The budget for implementing a remedial action plan under CERCLA/SARA shall include a statement as to any appropriation that may be necessary to pay the State's share of such plan;
- (5) A list of sites and remedial action plans undergoing voluntary cleanup with Departmental approval;
- (6) A list of sites and remedial action plans that may require State funding, a comprehensive budget if implementation of these possible remedial action plans is required, and the adequacy of the Inactive Hazardous Sites Cleanup Fund to fund the possible costs of said plans;
- (7) A list of sites which pose an imminent hazard;
- (8) A comprehensive budget to develop and implement remedial action plans for sites that pose imminent hazards and that may require State funding, and the adequacy of the Inactive Hazardous Sites Cleanup Fund; and

(9) Any other information requested by the General Assembly or the Environmental Review Commission.

(b) The ~~annual reports report~~ required by this section shall be made by the Secretary on ~~15 February of each year beginning 15 February 1990. or before 1 November of even-numbered years.~~"

Section 2. G.S. 130A-310.4(e) reads as rewritten:

"(e) At least 45 days from the latest date on which notice is provided pursuant to subsection ~~(e)~~-(c)(1) of this section shall be allowed for the receipt of written comment on the proposed remedial action plan prior to its approval. If a public hearing is held pursuant to subsection (f) of this section, at least 20 days will be allowed for receipt of written comment following the hearing prior to the approval of the remedial action plan."

Section 3. This act is effective when it becomes law. The Secretary of Environment, Health, and Natural Resources shall make the first report under G.S. 130A-310.10, as amended by Section 1 of this act, on or before 1 November 1998.

In the General Assembly read three times and ratified this the 10th day of April, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 12:12 p.m. this 17th day of April, 1997