

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 306

Short Title: Risk-Based Remediation/Animal Waste Mgmt. (Public)

Sponsors: Representatives Dixon, Strickland, and Bell (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Environment, if favorable, Agriculture, if favorable, Rules, Calendar, and
Operations of the House

March 11, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW RISK-BASED REMEDIATION FOR ANIMAL WASTE
3 MANAGEMENT SYSTEMS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 130A-310.67 reads as rewritten:

6 **"§ 130A-310.67. Applicability.**

7 (a) This Part applies to contaminated sites subject to remediation pursuant to any of the
8 following programs or requirements:

- 9 (1) The Inactive Hazardous Sites Response Act of 1987 under Part 3 of Article 9
10 of Chapter 130A of the General Statutes, including voluntary actions under
11 G.S. 130A-310.9 of that act, and rules promulgated pursuant to those statutes.
- 12 (2) The hazardous waste management program administered by the State pursuant
13 to the federal Resource Conservation and Recovery Act of 1976, Public Law
14 94-580, 90 Stat. 2795, 42 U.S.C. § 6901, et seq., as amended, and Article 9 of
15 Chapter 130A of the General Statutes.
- 16 (3) The solid waste management program administered pursuant to Article 9 of
17 Chapter 130A of the General Statutes.
- 18 (4) The federal Superfund program administered in part by the State pursuant to
19 the Comprehensive Environmental Response, Compensation, and Liability
20 Act of 1980, Public Law 96-510, 94 Stat. 2767, 42 U.S.C. § 9601, et seq., as
21 amended, the Superfund Amendments and Reauthorization Act of 1986,
22 Public Law 99-499, 100 Stat. 1613, as amended, and under Part 4 of Article 9
23 of Chapter 130A of the General Statutes.
- 24 (5) The groundwater protection corrective action requirements adopted by the
25 Commission pursuant to Article 21 of Chapter 143 of the General Statutes.
- 26 (6) Oil Pollution and Hazardous Substances Control Act of 1978, Parts 1 and 2 of
27 Article 21A of Chapter 143 of the General Statutes, except with respect to
28 those sites identified in subdivision (1a) of subsection (b) of this section.
- 29 (7) Animal waste management systems permitted under Part 1 or Part 1A of
30 Article 21 of Chapter 143 of the General Statutes.

31 (b) This Part shall not apply to contaminated sites subject to remediation pursuant to any
32 of the following programs or requirements:



- 1 (1) The Leaking Petroleum Underground Storage Tank Cleanup program under
2 Part 2A of Article 21A of Chapter 143 of the General Statutes and rules
3 promulgated pursuant to that statute.
4 (1a) Leaking petroleum aboveground storage tanks and other sources of petroleum
5 releases governed by Part 7 of Article 21A of Chapter 143 of the General
6 Statutes and rules promulgated pursuant to that Part.
7 (2) The Dry-Cleaning Solvent Cleanup program under Part 6 of Article 21A of
8 Chapter 143 of the General Statutes and rules promulgated pursuant to that
9 statute.
10 (3) The pre-1983 landfill assessment and remediation program established under
11 G.S. 130A-310.6(c) through (g).
12 (4) The Coal Ash Management Act of 2014 under Part 2I of Article 9 of Chapter
13 130A of the General Statutes and rules promulgated pursuant to that Part.
14 ~~(5) Animal waste management systems permitted under Part 1 or Part 1A of~~
15 ~~Article 21 of Chapter 143 of the General Statutes.~~
16 (c) Repealed by Session Laws 2015-286 s. 4.7(a), effective October 22, 2015."
17 **SECTION 2.** This act is effective when it becomes law.