

April 5, 2001

**S 954. CLARIFY PETROLEUM CLEANUP REQUIREMENTS.** *TO CLARIFY THE CIRCUMSTANCES IN WHICH LAND USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN THE OFFICE OF THE REGISTER OF DEEDS ARE REQUIRED IN CONNECTION WITH THE CLEANUP OF A RELEASE FROM A PETROLEUM UNDERGROUND STORAGE TANK IN ORDER TO PROTECT THE ENVIRONMENT AND PUBLIC HEALTH, TO ENSURE ENFORCEABILITY OF RESTRICTIONS, AND TO PROVIDE NOTICE TO SUBSEQUENT OWNERS OF THE PROPERTY.* Amends GS 143B-279.9 to require that a risk-based remedial action plan for cleanup of environmental damage resulting from a leaking underground storage tank that will not require that the site meet current standards plan include an agreement by the owner, operator, or other party responsible for the discharge or release of petroleum to record approved land-use restrictions. Provides that the restrictions are only to apply to the real property on which the source of the contamination is located and any real property on which contamination is located at the time the remedial action plan was approved, which property was owned or controlled by any owner or operator of an underground storage tank or other responsible party at the time the discharge or release is discovered or reported or at any time thereafter. Enacts new GS 143B-279.10 providing for the details of recording such restrictions. Effective Oct. 1, 2001.

**Intro. by Odom.**

Ref. to Agriculture	GS 143B
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