

May 17, 2006

S 1587. AMEND ENVIRONMENTAL LAWS 2006 (=H 2161). Filed 5/17/06. *TO AMEND VARIOUS ENVIRONMENTAL LAWS TO: (1) CLARIFY THE REQUIREMENT THAT MOTOR VEHICLES OPERATED ON A FEDERAL INSTALLATION IN AN EMISSIONS COUNTY ARE SUBJECT TO EMISSION INSPECTION REQUIREMENTS; (2) CLARIFY THE REQUIREMENT THAT LAND-DISTURBING ACTIVITY BE CONDUCTED IN ACCORDANCE WITH AN APPROVED PLAN; (3) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION AND THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO CONTRACT FOR CONSULTANTS; (4) PROVIDE THAT A PERSON WHO INSTALLS, REPAIRS, OR PUMPS SEPTIC SYSTEMS MAY PURCHASE AND INSTALL APPROVED EFFLUENT FILTERS; AND (5) PROVIDE THAT STORMWATER CONTROL ORDINANCES THAT ARE ADOPTED BY CITIES MUST AT LEAST MEET ALL OF THE MINIMUM STATUTORY REQUIREMENTS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW COMMISSION.* Identical to H 2161, filed 5/17/06.

Intro. by Albertson.

GS 20, 113A, 120, 130A, 160A

June 20, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS (NEW). Filed 5/17/06. Senate committee substitute makes the following changes to 1st edition. Deletes proposed GS 160A-459, which would have specifically authorized a city to adopt and enforce a stormwater control ordinance that complies with the minimum requirements of Part 1 of Article 21 of GS Chapter 143 (control of pollution). Adds new Part II entitled "Amend Natural Resources Laws" as follows. (1) Amends GS 106-581.1(3) to remove deer and elk from the definition of livestock. (2) Amends GS 113-174.3(a) to clarify that the For Hire Blanket Coastal Recreational Fishing License (CRFL) is issued for the for hire boat. Also amends GS 113-271(d)(9) to clarify that the special landholder and guest fishing licenses apply to guests of the landholder (was, owner or lessee) who are invited to fish without charge, to define "charge," and to delete a reference to public mountain trout waters. (3) Amends GS 113-272.3(d) to authorize the Wildlife Resources Commission to offer personalized licenses for lifetime licenses (was, lifetime sportsman combination licenses only). (4) Amends GS 113-351(c)(4)a. to add "Resident" to the Lifetime Unified Inland/Coastal Recreational Fishing License. (5) Repeals GS 143B-289.52(h) relating to disclosure of personal identifying information and substitutes a new subsection (i) to prohibit the disclosure of identifying information received from applicants for certain Blanket CRFLs or a person participating in a biological data sampling or survey program under GS 113-174.1 (general provisions governing licenses). Defines "personal identifying information" and sets forth exceptions for disclosures to carry out official government functions. (6) Enacts new GS 143B-289.52(j) to authorize the Marine Fisheries Commission to exempt individuals who participate in organized fishing events from the recreational fishing license requirements. Adds new Part III to amend various provisions in GS Chapter 130A to clarify the authority of the Department of Environment and Natural Resources to implement the Childhood Lead Poisoning Prevention Program. Conforms title.

June 21, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS. Filed 5/17/06. Senate amendment makes the following changes to 2nd edition. Adds manufacturers to the list in GS 130A-355.1(a) of those authorized to install required effluent filters on septic systems installed in North Carolina that are designed to treat 3,000 gallons per day or less of sewage. Conforms title.

June 27, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS. Filed 5/18/06. Senate committee substitute makes the following changes to 2nd edition, which result in a bill that is identical to the second edition of H 2161 (adopted 6/27/06 and also summarized in this issue). Changes the effective dates for some of the new statutes enacted by SL 2005-384 (regarding mercury switch removal). Makes GS 130A-310.53, 130A-310.54(c), and 130A-310.55 effective July 1, 2007 (was July 1, 2006). Requires vehicle manufacturers that are subject to the act to provide the information

required by GS 130A-310.52(b) by January 1, 2007 (was January 1, 2006). These date changes will be effective retroactively to July 1, 2006. Rewrites GS 143-254.4, regarding the disclosure of personal identifying information obtained by the Wildlife Resources Commission. Replaces current provisions of that statute with a requirement that social security numbers and other specified identifying information be treated in accordance with GS 132-1.10 (a 2005 law sometimes referred to as the identity theft protection act for government agencies). Similarly rewrites GS 143B-289.52(h), regarding personal information obtained by the Marine Fisheries Commission or Division of Marine Fisheries. Deletes provision from second edition that would have added a new subsection to GS 143B-289.52 regarding the treatment of personal identifying information by the Wildlife Resources Commission, Marine Fisheries Commission, or Division of Marine Fisheries.

July 12, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS. Filed 5/17/06. House committee substitute makes the following changes to 3rd edition. Amends GS 130A-291.1 to authorize septage management firms to apply septage generated from wastewater systems, as long as the land application complies with existing State and federal requirements for septage management.

Adds new GS 87-98 to establish the Emergency Drinking Water Fund in the Department of Environment and Natural Resources (DENR). Authorizes the Fund to pay for notification of persons supplied water from a private well that is located within 1,500 feet of known groundwater contamination. Also authorizes the Fund to cover the costs of testing private wells for contamination and to provide alternative drinking water supplies to persons whose wells are contaminated. Authorizes DENR to establish criteria to evaluate applications and disburse monies from the Fund.

Amends SB 1862, if enacted, related to donations of real property under GS 143-214.20. Effective August 1, 2006, and expires September 1, 2007.

Exempts certain air quality permit applications that are submitted and determined to be administratively complete by August 1, 2006, from recent changes in air quality rules that were adopted by the Environmental Management Commission, if the permits meet certain specified criteria.

July 13, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS. Filed 5/17/06. House amendments make the following changes to 4th edition. (1) The bill establishes the Emergency Drinking Water Fund, and has provided that moneys in the Fund are to be used to provide notice to premises at which drinking water is supplied from a private drinking water well that is within 1500 feet of known groundwater contamination. Amendments # 1 and 3 add the requirement that the well be at risk from the contamination. (2) Section 5.4 of the bill exempts certain applications for air quality permits from rules adopted in 2005 but specifies certain minimum requirements for such a permit. The bill has provided that the permittee must be required to install advanced control technology that will remove 99 percent of sulfur dioxide at each electric generating capacity. Amendment #2 substitutes "any pollutants" covered by the rules being waived in lieu of "sulfur dioxide" and also provides that this 99-percent requirement does not apply during startup of the unit.

July 17, 2006

S 1587. AMEND ENV. & NAT. RESOURCES LAWS. Filed 5/17/06. House amendment makes the following changes to 4th edition. Modifies proposed new GS 87-98 to make the emergency drinking water fund a reverting fund.

September 14, 2006

SL 2006-255 (S 1587). AMEND ENVIRONMENTAL AND NATURAL RESOURCES LAWS.
AN ACT TO AMEND CERTAIN ENVIRONMENTAL AND NATURAL RESOURCES LAWS TO:
(1) CLARIFY THE REQUIREMENT THAT MOTOR VEHICLES OPERATED ON A FEDERAL
INSTALLATION IN AN EMISSIONS COUNTY ARE SUBJECT TO EMISSIONS INSPECTION

REQUIREMENTS; (2) CLARIFY THE REQUIREMENT THAT LAND-DISTURBING ACTIVITY BE CONDUCTED IN ACCORDANCE WITH AN APPROVED PLAN; (3) AUTHORIZE THE ENVIRONMENTAL REVIEW COMMISSION AND THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE TO CONTRACT FOR CONSULTANTS IN CERTAIN CIRCUMSTANCES; (4) PROVIDE THAT A PERSON WHO MANUFACTURES, INSTALLS, REPAIRS, OR PUMPS SEPTIC SYSTEMS MAY PURCHASE AND INSTALL APPROVED EFFLUENT FILTERS; (5) DELAY BY ONE YEAR THE EFFECTIVE DATE OF CERTAIN PROVISIONS OF S.L. 2005-384, AN ACT TO REQUIRE THE REMOVAL, COLLECTION, AND RECOVERY OF MERCURY SWITCHES FROM CERTAIN MOTOR VEHICLES; (5.1) PROVIDE THAT SEPTAGE GENERATED BY THE OPERATION OF A WASTEWATER FACILITY PERMITTED UNDER ARTICLE 11 OF CHAPTER 130A OF THE GENERAL STATUTES MAY BE MANAGED AS PROVIDED BY G.S. 130A-291.1; (5.2) ESTABLISH THE EMERGENCY DRINKING WATER FUND; (5.3) PROVIDE, ON A TEMPORARY BASIS, THAT DONATIONS OF REAL PROPERTY TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES THAT SERVE AS ALTERNATIVES TO MAINTENANCE OF RIPARIAN BUFFERS ARE LIMITED TO A PROPERTY THAT IS LOCATED IN THE SAME RIVER BASIN AS THE RIPARIAN BUFFER THAT IS LOST BUT ARE NOT LIMITED TO A PROPERTY THAT IS LOCATED ON THE SAME STREAM AS THE RIPARIAN BUFFER THAT IS LOST; (5.4) MODIFY THE METHOD BY WHICH BASELINE EMISSIONS ARE DETERMINED FOR CERTAIN COAL-FIRED ELECTRIC GENERATING UNITS; (6) REMOVE DEER AND ELK FROM THE DEFINITION OF LIVESTOCK; (7) CLARIFY THAT THE FOR HIRE BLANKET COASTAL RECREATIONAL FISHING LICENSE IS ISSUED FOR THE FOR HIRE BOAT; (8) CLARIFY THAT SPECIAL LANDHOLDER AND GUEST FISHING LICENSES ONLY APPLY WHEN THE GUESTS ARE NONPAYING; (9) INCREASE THE TYPES OF LICENSES THAT THE WILDLIFE RESOURCES COMMISSION MAY ESTABLISH AS PERSONALIZED LICENSES; (10) CLARIFY THAT THE LIFETIME UNIFIED INLAND/COASTAL RECREATIONAL FISHING LICENSE IS A RESIDENT-ONLY LICENSE; (11) PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION OBTAINED BY THE WILDLIFE RESOURCES COMMISSION, THE MARINE FISHERIES COMMISSION, AND THE DIVISION OF MARINE FISHERIES; (12) AUTHORIZE THE MARINE FISHERIES COMMISSION TO EXEMPT CERTAIN ORGANIZED FISHING EVENTS FROM LICENSE REQUIREMENTS; AND (13) CLARIFY THE AUTHORITY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE SECRETARY OF ENVIRONMENT AND NATURAL RESOURCES TO CARRY OUT CERTAIN RESPONSIBILITIES RELATED TO THE PREVENTION AND CONTROL OF LEAD POISONING IN CHILDREN. Summarized in *Daily Bulletin* 5/17/06, 6/20/06, 6/21/06, 6/27/06, 7/12/06, 7/13/06, and 7/17/06. Enacted August 23, 2006. Section 5 is effective July 1, 2006. Section 5.3 is effective August 1, 2006. The remainder is effective August 23, 2006.