

March 19, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. *TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY.*

Amends GS 143-215.104I to add a new subsection (b1) that (1) provides that other state and local land-use controls and notifications may be used in lieu of land use restrictions for properties in the area of a dry-cleaning solvent contamination site; (2) requires that, if such controls are used, a Notice of Dry-Cleaning Solvent Remediation must be prepared and filed in accordance with GS 143-215.104M by the owner or the North Carolina Environmental Management Commission (Commission); and (3) provides that state and land-use controls and notifications may not be used on properties on which a dry-cleaning facility is or was located which was the source of the contamination.

Amends GS 143-215.104L to (1) require the Commission or its private contractor to mail a copy of the summary of a Notice of Intent to enter into a dry-cleaning solvent remediation agreement to each owner of property located within the contamination site and to each owner of property that is contiguous to the site (rather than filing a copy of the summary with the Codifier of Rules, as is currently required), (2) require publication of the summary of Notice of Intent in a newspaper of general circulation only (rather than the newspaper and in the North Carolina Register), (3) reduce from 60 days to 30 days the public comment period that begins from the date of publication of the summary of the Notice of Intent, (4) reduce from 30 days to 21 days the deadline (after the public comment period begins) for a request for a public meeting on a proposed dry-cleaning solvent remediation agreement, (5) reduce from 30 days to 15 days before the date of the meeting the time in which the Commission must mail notice of the meeting and in which the Commission shall publish notice of the meeting in the newspaper; and (6) requiring the minutes from the meeting to include any written comments received during the meeting.

Amends GS 143-215.104N(b) by deleting subsection (9), removing the limitation on disbursement of monies from the Dry-Cleaning Solvent Cleanup Fund for costs incurred in connection with dry-cleaning solvent contamination from a facility or site owned by the state or a state agency.

Amends section 8 of SL 1997-392 by extending the sunset dates of Sections 1 (Part 6 to Article 21A of Chapter 143) and 4.1 [GS 105-259(b)(20)] of that law from January 1, 2012, to January 1, 2022, and extending the sunset date of Section 4 (Article 5D of Chapter 143) of that law from January 1, 2010, to January 1, 2020. Amends Section 23 of SL 2000-12 (appears to intend SL 2000-19) by extending the sunset dates of Sections 1.1 (GS 105-164.44E) and 1.2 (amending GS 105-187.31) of that law from January 1, 2010, to January 1, 2020.

Makes conforming changes.

Effective July 1, 2009.

Intro. by Rand.

GS 143

June 1, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. Senate committee substitute makes the following changes to 1st edition. Amends Section 6 of the act to provide that the amendments are to Section 23 of SL 2000-19 (was, SL 2000-12).

June 10, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. Senate committee substitute makes the following changes to 2nd edition. Rewrites sunset provisions of act by rewriting GS 143-215.104A to provide that Dry Cleaning Solvent Cleanup Act of 1997 generally expires in January 2022, and codifies in that section the exemptions contained in the original 1997 session law that established the cleanup program. Amends proposed amendment to SL 2000-19 to eliminate the original sunset date imposed by that act (and extended to 2020 in 2nd edition) for amendments in that act dealing with the transfer of tax receipts to the cleanup fund. Repeals GS 105-164.44E (which provides for the transfer of those tax receipts to the Fund) effective July 1, 2020, and repeals Article 5D of GS Chapter 105 (which imposes the tax) effective January 1, 2020. Makes conforming changes.

June 25, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. House committee substitute makes the following changes to 3rd edition. Changes the effective date from July 1, 2009 to when the act becomes law.

July 14, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. House committee substitute makes the following changes to 4th edition. Amends GS 143-215.104I(b1) to allow properties in the area of a contamination site to rely on other state or local land-use controls (was, controls and notifications) in negotiating a remediation agreement instead of the land-use restrictions authorized by subsection (b) of GS 143-215.104I (permitting parties to rely on land-use restrictions that will be included in a Notice of Dry-Cleaning Solvent Remediation required under GS 143-215.104M). Makes conforming changes to replace *state and local land-use controls and notifications* with *state and local land-use controls* in GS 143-215.104I(c) and GS 143-215.104L(a).

July 30, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. House committee substitute makes the following changes to 5th edition. Amends GS 143-215.104L to restore the requirement that any person desiring a public meeting on a proposed dry-cleaning solvent remediation agreement submit a written request for a public meeting 30 days (was, 21 in previous edition) after the public comment period begins. Also restores the requirement that the Environmental Management Commission mail written notice and publish notice 30 days (was, 15 in previous edition) before the public meeting. Makes a technical change in GS 143-215.104I.

August 4, 2009

S 700. DRY-CLEANING SOLVENT ACT AMENDS. Filed 3/19/09. House amendment makes the following changes to 6th edition. Amends GS 143-215.104N(b)(9) to provide that the Environmental Management Commission shall make no disbursements from the Dry-Cleaning Solvent Cleanup Fund for costs incurred in connection with contamination of a State-owned site unless the contamination was not caused by the state (was, deleted prohibition on making disbursement for costs of contamination from a site owned by the state).

September 1, 2009

SL 2009-483 (S 700). DRY-CLEANING SOLVENT ACT AMENDMENTS. AN ACT TO: (1) EXTEND SUNSET DATES APPLICABLE TO THE DRY-CLEANING SOLVENT CLEANUP ACT, THE DRY-CLEANING SOLVENT CLEANUP FUND, AND THE DRY-CLEANING SOLVENT TAX; (2) ALLOW THE USE OF STATE AND LOCAL LAND-USE CONTROLS AND DEED NOTICES IN LIEU OF LAND-USE RESTRICTIONS FOR PROPERTIES IN THE AREA OF CONTAMINATED DRY-CLEANING SITES, NOT INCLUDING PROPERTIES ON WHICH A DRY-CLEANING FACILITY IS OR WAS LOCATED WHICH IS THE SOURCE OF A SITE'S CONTAMINATION; (3) MODIFY NOTICE AND COMMENT REQUIREMENTS ASSOCIATED

WITH A NOTICE OF INTENT TO REMEDIATE; AND (4) REMOVE THE LIMITATION ON DISBURSEMENT OF MONIES FROM THE DRY-CLEANING SOLVENT CLEANUP FUND FOR COSTS INCURRED TO ADDRESS DRY-CLEANING SOLVENT CONTAMINATION ON STATE-OWNED PROPERTY. Summarized in *Daily Bulletin* 3/19/09, 6/1/09, 6/10/09, 6/25/09, 7/14/09, 7/30/09, and 8/4/09. Enacted August 26, 2009. Effective August 26, 2009.