

# FAILED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 729

AMENDMENT NO. A11  
(to be filled in by  
Principal Clerk)

S729-ARI-208 [v.1]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [NO]  
Second Edition

Date \_\_\_\_\_, 2014

Senator Stein

1 moves to amend the bill on page 18, line 47, through page 19, line 6,  
2 by rewriting those lines to read:

3  
4           "(3) Low-risk impoundments shall be closed as soon as practicable, but no later  
5 than December 31, 2022. A proposed closure plan for such impoundments  
6 must be submitted as soon as practicable, but no later than December 31,  
7 2018. Such impoundments shall be dewatered. The Department shall require  
8 such sites to comply with the closure and post-closure requirements  
9 established by Section .1627 of Subchapter B of Chapter 13 of Title 15A of  
10 the North Carolina Administrative Code. Specifically, the owner of an  
11 impoundment shall: (i) install and maintain a cap system; (ii) install and  
12 maintain a leachate collection system; (iii) install and maintain a  
13 groundwater monitoring system; (iv) establish financial assurance that will  
14 ensure that sufficient funds are available for closure pursuant to this  
15 subdivision, post-closure maintenance and monitoring, any corrective action  
16 that the Department may require, and to satisfy any potential liability for  
17 sudden and nonsudden accidental occurrences arising from the  
18 impoundment, and subsequent costs incurred by the Department in response  
19 to an incident, even if the owner becomes insolvent or ceases to reside, be  
20 incorporated, do business, or maintain assets in the State; and (v) conduct  
21 post-closure care for a period of 30 years, which period may be increased by  
22 the Department upon a determination that a longer period is necessary to  
23 protect public health, safety, and welfare; the environment; and natural  
24 resources, or decreased upon a determination that a shorter period is  
25 sufficient to protect public health, safety, and welfare; the environment; and  
26 natural resources. The Department may require implementation of any other  
27 measure it deems necessary to protect public health, safety, and welfare; the  
28 environment; and natural resources, including imposition of institutional  
29 controls that are sufficient to protect public health, safety, and welfare; the  
30 environment; and natural resources. If, during the post-closure care period,  
31 groundwater monitoring at the impoundment shows contaminants to be  
32 present in groundwater in exceedance of groundwater quality standards



\* S 7 2 9 - A R I - 2 0 8 - V - 1 \*

NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 729

**FAILED**

AMENDMENT NO. A11  
(to be filled in by  
Principal Clerk)

S729-ARI-208 [v.1]

Page 2 of 2

1                    beyond the compliance boundary of the impoundment, the impoundment  
2                    shall be closed in any manner allowed pursuant to subdivision (1) of this  
3                    subsection, as soon as practicable, but no later than 2 years after detection of  
4                    such exceedance."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_      FAILED \_\_\_\_\_      TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**