

# Withdrawn



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 97

AMENDMENT NO. A28  
(to be filled in by  
Principal Clerk)

H97-AMH-17 [v.8]

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Amends Title [NO]  
H97-PCS10387-SVxf-25

Date \_\_\_\_\_, 2015

Representative Bryan

1 moves to amend the bill on 166, line 44, by inserting after that line a new special provision to  
2 read:

3 **"ENVIRONMENTAL ASSESSMENT TESTING**

4 **SECTION 14.19.(a)** G.S. 143-215.94B is amended by adding a new subsection to  
5 read:

6 "(j) In order to be eligible for reimbursement from the Commercial Fund for testing  
7 associated with soil and groundwater assessment, the owner, operator, or landowner that is  
8 otherwise eligible for reimbursement must submit proof that soil and groundwater assessment  
9 was conducted utilizing the least costly method approved by the Department. In order to utilize  
10 any method other than the least costly method, the Department must give authorization to  
11 proceed. If a method that is not the least costly method is utilized without prior authorization  
12 from the Department, the owner, operator, or landowner shall be responsible for one hundred  
13 percent (100%) of the soil and groundwater assessment cost. This amount shall not be credited  
14 toward any deductible associated with reimbursement under the Commercial Fund."

15 **SECTION 14.19.(b)** G.S. 143-215.94D is amended by adding a new subsection to  
16 read:

17 "(i) In order to be eligible for reimbursement from the Noncommercial Fund for testing  
18 associated with soil and groundwater assessment, the owner, operator, or landowner that is  
19 otherwise eligible for reimbursement must submit proof that soil and groundwater assessment  
20 was conducted utilizing the least costly method approved by the Department. In order to utilize  
21 any method other than the least costly method, the Department must give authorization to  
22 proceed. If a method that is not the least costly method is utilized without prior authorization  
23 from the Department, the owner, operator, or landowner shall be responsible for one hundred  
24 percent (100%) of the soil and groundwater assessment cost. This amount shall not be credited  
25 toward any deductible associated with reimbursement under the Noncommercial Fund."

26 **SECTION 14.19.(c)** The Legislative Research Commission shall study the  
27 reasonable rate tables compiled by the Department of Environment and Natural Resources for  
28 reimbursement of soil and groundwater assessment, and, in particular, whether the rate tables  
29 and the Department's procedures for compiling and updating the tables facilitate the use of the  
30 most cost effective methods for soil and groundwater assessment. The Legislative Research  
31 Commission shall report its findings and recommendations, including any proposed legislation,  
32 to the 2015 General Assembly when it reconvenes in 2016."



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

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

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