

**General Assembly of North Carolina  
Environmental Review Commission  
State Legislative Building  
Raleigh, North Carolina**

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9 January 2006

**TO:** Members of the Environmental Review Commission  
Interested Parties

**FROM:** George F. Givens, Commission Counsel  
Dot Waugaman, Commission Clerk

**RE:** **Notice of Commission Meeting**  
**Local Site Visits**  
**Notice of Planning Meeting**  
**Schedule of Future Meetings**  
**Meetings of Interested Parties (605 Working Groups)**  
**Additional Information**

**COMMISSION MEETING – 24 JANUARY 2006:**

**The Environmental Review Commission (ERC) will meet at 9:30 a.m. Tuesday 24 January 2006 in Room 544 of the Legislative Office Building in Raleigh. With regard to Wednesday 25 January 2006, please see the Local Site Visits section of this notice.**

At the 24 January meeting, the Commission will begin or continue studies for which the Commission is responsible, hear reports from State agencies, discuss topics to be considered at future meetings, and attend to other matters. Listed below are potential agenda topics for this meeting. More specific information regarding the agenda for the 24 January meeting of the Commission will be developed at the staff planning meeting discussed below.

**POSSIBLE AGENDA TOPICS:**

**Solid and Hazardous Waste Management:**

- 1) Issues related to solid waste, including measures to reduce the amount of solid waste disposed of within North Carolina landfills, statewide tipping fees, bans on the disposal of certain types of waste in landfills, more aggressive recycling requirements, and enhanced regulatory requirements for landfills and other solid waste management facilities
- 2) Annual report on the Inactive Hazardous Sites Program (G.S. 130A-310.10)
- 3) Annual report on implementation of the Resident Inspectors Program at commercial hazardous waste facilities (G.S. 130A-295.02(m))

- 4) Report of Superfund cost share fund expenditures for cleanup of sites on the National Priorities List (S.L. 1999-237(15.6)(b))
- 5) Annual report on the North Carolina Hazardous Waste Management Plan (G.S. 130A-294(i))
- 6) Annual report on the Effectiveness of the Brownfields Property Reuse Act (G.S. 130A-310.40)
- 7) Semiannual report on agency litter enforcement, litter prevention, and litter removal efforts (G.S. 147-12(b))
- 8) Annual report on the Dry-Cleaning Solvent Cleanup Program (G.S. 143-215.104U)
- 9) Annual report on the mercury minimization plan prepared by DENR (G.S. 130A-310.57)
- 10) Measures to reduce the quantity of mercury that is released into the environment that impacts natural resources and that harms the public health of the citizens of the State
- 11) Issues related to liability for the cleanup of environmental damage and the defenses to liability that are available to innocent landowners and prospective purchasers of contaminated properties
- 12) Establishment of a consistent and uniform risk-based approach to the assessment, prioritization, and remediation of environmental contamination
- 13) Discussion of policy alternatives and programs for the management of electronics waste

General/Miscellaneous:

- 14) Annual report on fish kills within the preceding year (G.S. 143B-279.7(c))
- 15) Annual report on Basinwide Water Quality Management Plans (G.S. 143-215.8B)
- 16) Issues related to actions available to governmental agencies to respond to violations and noncompliance by licensed environmental professionals and consultants
- 17) Other matters related to the Commission's powers and duties under G.S. 120-10.43

**LOCAL SITE VISITS – 25 JANUARY 2006:**

**The Commission will not hold a business meeting on Wednesday 25 January 2006. This date may be utilized, however, for site visits in the Raleigh area or as an alternative meeting date in the event of inclement weather.** Further information on the site visits, including transportation arrangements, will be sent to members of the Commission at a later date.

**PLANNING MEETING:**

To facilitate development of the agenda for the 24 January meeting of the Commission, to plan for subsequent meetings of the Commission, and to receive input from interested persons regarding the work of the Commission, the Commission Counsel will hold an informal planning meeting at **2:00 p.m. on Tuesday 17 January 2006 in Room 605 of the Legislative Office Building**. Persons who wish to participate in the development of the agenda for meetings of the Commission, or who are interested in any matter before the Commission, are invited to attend.

**SCHEDULE OF FUTURE MEETINGS:**

Below is a schedule of meetings of the Environmental Review Commission for January 2006 through May 2006. This schedule is tentative and subject to adjustment. For planning purposes, however, please reserve these dates. Please note the following:

1. This schedule has been developed in anticipation of the need for at least one full-day business meeting each month to address the regular workload. In addition, it allows for at least two joint meetings with other oversight entities, including the Joint Legislative Commission on Seafood and Aquaculture, the Joint Legislative Transportation Oversight Committee, and the Joint Legislative Utility Review Committee. It includes enough days to allow for the possibility of one or more optional field trips and for cancellations as a result of hazardous weather conditions.
2. Commission meetings normally begin at 9:30 a.m., include a lunch break, and run until mid-afternoon. Please plan on meeting from 9:30 a.m. until at least 3:30 p.m. Unless otherwise announced, the Commission will meet in room 544 LOB.
3. To facilitate development of the agenda for meetings of the Commission and to receive input from interested persons regarding the future work of the Commission, the Commission Counsel holds informal planning meetings for staff and interested parties. Commission members are not expected to attend these meetings. Only one staff planning meeting is scheduled per month, regardless of the number of scheduled meetings of the Commission. Unless otherwise announced, public staff planning meetings will be held in room 605 LOB.
4. The 2006 Regular Session is scheduled to begin at 12:00 noon on Wednesday 9 May 2006. The Commission may meet shortly after the beginning of the session to complete work and to consider any legislative proposals and recommendations.

#### **Commission Meeting**

Tuesday 24 January 2006  
 Tuesday 14 and Wednesday 15 February 2006  
  
 Tuesday 14 and Wednesday 15 March 2006  
 Tuesday 11 and Wednesday 12 April 2006  
 Wednesday 3 May 2006  
 Monday 8 May 2006

#### **Staff Planning Meeting**

2:00 p.m. Tuesday 17 January 2006  
**2:00 p.m. Monday 6 February 2006**  
*(Please note change in date and time)*  
 10:00 a.m. Friday 3 March 2006  
 2:00 p.m. Monday 3 April 2006  
 10:00 a.m. Thursday 27 April 2006

#### **MEETINGS OF INTERESTED PARTIES (605 WORKING GROUPS):**

The Commission Counsel will hold meetings of interested parties on specific topics as indicated below:

Risk-Based/Limit Liability for Environmental Cleanups Working Group  
 2:00 p.m. Thursday 26 January 2006 – 605 Legislative Office Building  
 2:00 p.m. Monday 13 February 2006 – 605 Legislative Office Building  
 2:00 p.m. Monday 6 March 2006 – 605 Legislative Office Building

#### **ADDITIONAL INFORMATION:**

If you have questions related to the Commission, please feel free to contact the Commission Counsel or other Commission staff at (919) 733-2578.