

General Assembly of North Carolina

Environmental Review Commission

State Legislative Building
Raleigh, North Carolina

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16 April 2008

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TO: Members of the Environmental Review Commission
Interested Parties

FROM: George F. Givens, Commission Counsel
Jessica Bennett, Commission Clerk

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

NOTICE OF COMMISSION MEETING:

The Environmental Review Commission (Commission) will meet at 9:30 a.m. Friday 9 May in room 544 of the Legislative Office Building in Raleigh

At this meeting, the Commission will 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 and for future meetings. More specific information regarding the agenda for the 9 May meeting of the Commission will be developed at the staff planning meeting discussed below. Commission Staff may publish a further notice/draft agenda following the staff planning meeting if circumstances permit.

STUDIES

- 1) Issues related to the franchise of solid waste management facilities by units of local government. (S.L. 2007-550, Sec. 18)
- 2) Issues related to the transportation of solid waste by rail or barge, including the extent to which regulation of the transportation of solid waste by rail or barge may be preempted by federal law. (S.L. 2007-550, Sec. 18)
- 3) Issues related to the use of pervious surfaces for vehicle parking areas, including associated costs, impact to the environment of stormwater runoff, and practices of other states with regard to stormwater best management practices. (S.L. 2007-323, Sec. 6.22.(b))

- 4) Allocation of surface water resources and their availability and maintenance in the State, including issues related to the transfer of water from one river basin to another, the withdrawal of water for consumptive use, and the accuracy and tolerance of equipment used to measure the flow of water transferred from one river basin to another river basin. (S.L. 2007-518, Sec. 1.(a))
- 5) Preparation of a revised map entitled "Major River Basins and Sub-basins in North Carolina" as a recommended replacement for the map referenced in G.S. 143-215.22G. The revised map shall define the extent to which any river basin that encompasses any river that flows from another state into North Carolina or that flows from North Carolina into another state extends into an adjacent state. (S.L. 2007-518, Sec. 1.(b))
- 6) Other studies undertaken by the Commission

REPORTS *(Report due dates are indicated in parentheses)*

General/Miscellaneous:

- 7) Quarterly report on the activities of the Environmental Management Commission (G.S. 143B-282(b)) *(15 April)*
- 8) Final Report on the findings and recommendations of the Legislative Commission on Global Climate Change (S.L. 2006-79) *(15 April 2008)*
- 9) Report by the North Carolina Building Code Council on its findings of the study of the extent to which hot waterlines should be insulated to achieve greater energy efficiency and actions taken to amend the State Building Code as necessary to achieve those ends (S.L. 2007-542, Sec.2) *(1 April 2008)*

Hazardous Waste Management:

- 10) Report of Superfund cost share fund expenditures for cleanup of sites on the National Priorities List (S.L. 1999-237(15.6)(b)) *(Floating, within 30 days of expenditure)*
- 11) Report by the Office of the Governor on its efforts in seeking the advice of local governments to determine if the criteria considered to determine whether or to what extent to preempt local ordinances pursuant to 130A-293 should be further amended. (S.L. 2007-107, Sec. 1.10(b)) *(1 March 2008)*
- 12) Report by the Regulation of Hazardous Materials Task Force on its study of issues related to the treatment, storage, and disposal of hazardous materials and review of all current fire code regulations related to the commercial treatment, storage, and disposal of hazardous materials to ensure the Code addresses the needs and safety of citizens. (S.L. 2007-107, Sec. 4.1.(j)) *(1 April 2008)*

Water Quality:

- 13) Semiannual report on the pilot program for inspection of animal waste management systems including a comparison of the costs of conducting operations reviews and inspections under the pilot program with the costs of conducting operations and inspections under G.S. 143-215.10D and G.S. 143-215.10F *(15 April)*
- 14) Annual report on the status of leaking petroleum underground storage tanks, the State cleanup funds, and the Groundwater Protection Loan Fund (G.S. 143-215.94M) *(1 September)*
- 15) Annual report by the EMC on its progress in developing and implementing nutrient management strategies for water supply reservoirs identified in the Drinking Water Supply Reservoir Protection Act (S.L. 2005-190, Sec. 3 as amended by S.L. 2006-259, Sec. 31.(c)) *(1 April)*

OTHER MATTERS

- 16) Update on the current drought and implementation of Governor's drought proposals.

- 17) Discussion of issues related to the use of flame retardants that contain polybrominated diphenylethers (PBDE).
- 18) Discussion of issues related to the implementation of a low emission vehicle program that is the functional equivalent of the low-emission vehicle program established under the laws of the State of California as set forth in final regulations issued by the California Air Resources Board pursuant to Title 13 of the California Code of Regulations and promulgated under the authority of Division 26t of the California Health and Safety Code as amended.
- 19) Discussion of possible amendments to S.L. 2007-546 (Senate Bill 668, Energy Conservation in State Buildings)
- 20) Report on the implementation of S.L. 2007-523 (Senate Bill 1465, Swine Farm Environmental Performance Standards)

PLANNING MEETING:

To facilitate development of the agenda for the 9 May meeting of the Commission, to begin planning 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 **10:00 a.m. on Tuesday 29 April 2008 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 for the remainder of the current legislative interim. This schedule is tentative and subject to adjustment. 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 public planning meetings for staff and interested parties. The schedule of these meetings is also set out below.

<u>Commission Meeting</u>	<u>Location</u>	<u>Staff Planning Meeting</u>	<u>Location</u>
Wednesday 14 May 2008 (Time TBD)	544 LOB	Tuesday 29 April 2008	605 LOB

The Commission may meet while the General Assembly is in session (G.S. 120-70.44). When the Commission meets while the General Assembly is in session, notice will be given at a session of the Senate and House of Representatives as provided by G.S. 143-318.12(b) and will be distributed by email to the email notice distribution list, if possible. Notice will not be provided by first-class mail. The Commission will resume a schedule of regular monthly meetings following adjournment of the 2008 Session of the General Assembly.

MEETINGS OF INTERESTED PARTIES (605 WORKING GROUPS):

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

- Underground Storage Tank Working Group**
2:00 p.m. Thursday 24 April 2008 – 605 Legislative Office Building
- Impervious Parking Surfaces Working Group**
2:00 p.m. Monday 28 April 2008 – 605 Legislative Office Building
- Coastal Stormwater Rules Working Group**
2:00 p.m. Thursday 1 May 2008 – Location TBD

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.