

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2254
Committee Substitute Favorable 6/14/90

Short Title: Clarify Env. Permitting Requirement.

(Public)

Sponsors:

Referred to:

June 1, 1990

A BILL TO BE ENTITLED
AN ACT TO CLARIFY THE SCOPE OF THE FINANCIAL QUALIFICATION AND
COMPLIANCE HISTORY REQUIREMENTS APPLICABLE TO APPLICANTS
FOR WATER DISCHARGE AND AIR EMISSIONS PERMITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.1(b)(4) reads as rewritten:

"(4) The Commission shall have the power:

- a. To grant a permit with such conditions attached as the Commission believes necessary to achieve the purposes of this Article.
- b. To require that an applicant satisfy the ~~Commission~~ Department that the applicant, or any ~~parent or subsidiary corporation if the applicant is a corporation:~~ parent, subsidiary, or other affiliate of the applicant or parent:
 - 1. Is financially qualified to carry out the activity for which the permit is required under subsection (a) of this section; and
 - 2. Has substantially complied with the effluent standards and limitations and waste management treatment practices applicable to any activity in which the applicant has previously engaged, and has been in substantial compliance with other federal and state laws,

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- 1 regulations, and rules for the protection of the
2 environment.
- 3 c. To modify or revoke any permit upon not less than 60 days'
4 written notice to any person affected.
- 5 d. To designate certain classes of minor activities for which a
6 general permit may be issued, after considering:
- 7 1. The environmental impact of the activities;
8 2. How often the activities are carried out;
9 3. The need for individual permit oversight; and
10 4. The need for public review and comment on individual
11 permits.
- 12 e. To designate certain classes of minor activities for which:
- 13 1. Performance conditions may be established by rule; and
14 2. Individual or general permits are not required."

15 Sec. 2. G.S. 143-215.108(b)(5a) reads as rewritten:

16 "(5a) To require that an applicant satisfy the ~~Commission~~Department that the
17 applicant, or any ~~parent or subsidiary corporation if the applicant is a~~
18 ~~corporation; parent, subsidiary, or other affiliate of the applicant or~~
19 parent:

- 20 a. Is financially qualified to carry out the activity for which a
21 permit is required under subsection (a); and
- 22 b. Has substantially complied with the air quality and emission
23 control standards applicable to any activity in which the
24 applicant has previously engaged, and has been in substantial
25 compliance with federal and state laws, regulations, and rules
26 for the protection of the environment;"

27 ♦ Sec. 3. This act is effective upon ratification. This act shall not be
28 interpreted to express any legislative intent with regard to any pending permit
29 application, or whether any pending permit application should be granted or denied.