

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 2073

Short Title: Oil Terminal Facilities.

(Public)

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Sponsors: Representatives Joye, Cunningham, Hackney (co-sponsors); and Warner.

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Referred to: Environment.

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June 7, 1994

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR UPDATING THE REGISTRATION OF OIL  
2 TERMINAL FACILITIES, TO PROVIDE FOR THE STUDY OF ISSUES  
3 RELATED TO THE REGULATION OF OIL TERMINAL FACILITIES AND  
4 ABOVEGROUND STORAGE TANKS, AND TO APPROPRIATE FUNDS FOR  
5 THESE PURPOSES.  
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 143-215.95 reads as rewritten:

9 "**§ 143-215.95. Duties of Secretary.**

10 The Secretary shall administer the provisions for registration of oil terminal facilities  
11 contained in this Part. ~~In addition, he shall engage in such study and research~~  
12 ~~concerning oil terminal facilities and their regulation in this State and elsewhere as may~~  
13 ~~be required to furnish the General Assembly with a thorough factual basis for his~~  
14 ~~recommendations for further legislation pursuant to this Part."~~

15 Sec. 2. G.S. 143-215.96 reads as rewritten:

16 "**§ 143-215.96. Oil terminal facility registration.**

17 (a) ~~Prior to November 10, 1973, the~~ The owner or operator of every oil terminal  
18 facility in the State shall secure a registration certificate from the ~~Secretary of Natural~~  
19 ~~and Economic Resources. Such a certificate shall be issued only where the applicant~~  
20 ~~shall have furnished the following information concerning the oil terminal facility:~~  
21 Secretary. The Secretary shall not issue a registration certificate until the owner or  
22 operator has furnished the following information:

- 1           (1) Complete name of the owner and operator of the oil terminal facility  
2 together with addresses and telephone numbers; and the address and  
3 telephone number of each person listed as an owner or operator.
- 4           (2) Number of employees of the oil terminal facility and the ~~principal~~  
5 ~~officers;~~ names, addresses, and telephone numbers of all persons who  
6 are primarily responsible for supervising the operation of the oil  
7 terminal facility.
- 8           (3) Maps or sketches, based on criteria developed by the ~~Secretary of~~  
9 ~~Natural and Economic Resources to show~~ Secretary, showing property  
10 lines of the oil terminal facility and facility, location of nearby  
11 watercourses or bodies of water as specified by the Secretary; and  
12 Secretary, and the location of each storage tank located at the oil  
13 terminal facility.
- 14          (3a) The capacity and date of construction of each storage tank located at  
15 the oil terminal facility.
- 16          (4) Summary of present and proposed procedures, if any, for prevention of  
17 oil spills.

18          (b) A registration certificate shall be valid for one year beginning 1 July and  
19 ending 30 June of the following year except that an initial registration certificate shall  
20 be valid from the date on which it is issued until 30 June of the following year. The  
21 owner or operator of any an oil terminal facility which begins operation subsequent to the  
22 initial registration date specified in this section shall secure a registration certificate no later  
23 than 30 days after beginning operations. at the time the oil terminal facility begins  
24 operation. To renew a registration certificate, an owner or operator shall update all  
25 information required to be furnished under subsection (a) of this section, but need not  
26 resubmit information previously furnished that has not changed."

27          Sec. 3. In order to update the registration of oil terminal facilities as required  
28 by G.S. 143-215.96, as amended by Section 2 of this act, the owner or operator of every  
29 oil terminal facility in operation on 1 October 1994 that is required to secure a  
30 registration certificate under G.S. 143-215.96 shall obtain a new registration certificate  
31 on or before 1 October 1994. A registration certificate obtained pursuant to this section  
32 shall be valid until 30 June 1995.

33          Sec. 4. The Department of Environment, Health, and Natural Resources shall  
34 study issues relating to the regulation of oil terminal facilities and aboveground storage  
35 tanks and shall assist the Environmental Review Commission in the development of any  
36 legislative proposals to improve the regulation of oil terminal facilities and aboveground  
37 storage tanks. In conducting this study, the Department shall consider information  
38 obtained through the registration of oil terminal facilities, existing and anticipated  
39 regulation in this and other states and by the federal government, and any other relevant  
40 information. The Department shall make a preliminary report of its findings and  
41 recommendations to the Environmental Review Commission on or before 15 October  
42 1994 and shall make a final report on or before 1 April 1995.

43          Sec. 5. There is appropriated from the General Fund to the Department of  
44 Environment, Health, and Natural Resources the sum of fifty thousand dollars (\$50,000)

1 for the 1994-95 fiscal year to update the registration certificates of oil terminal facilities  
2 under Part 3 of Article 21A of Chapter 143 of the General Statutes, as amended by  
3 Sections 1 through 3 of this act, and to support the study authorized by Section 4 of this  
4 act.

5           Sec. 6. This act becomes effective 1 July 1994.