

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 777

Agriculture/Environment/Natural Resources Committee Substitute Adopted 4/19/99

House Committee Substitute Favorable 7/9/99

Short Title: Dry-Cleaning Program Amends.

(Public)

Sponsors:

Referred to:

April 7, 1999

A BILL TO BE ENTITLED

AN ACT TO AMEND THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 TO ALLOW THE ENVIRONMENTAL MANAGEMENT COMMISSION TO ENTER INTO CONTRACTS WITH PRIVATE CONTRACTORS FOR ASSESSMENT AND REMEDIATION ACTIVITIES AT DRY-CLEANING FACILITIES AND WHOLESALE DRY-CLEANING SOLVENT DISTRIBUTION FACILITIES AND TO MAKE OTHER CHANGES TO THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.104D(a) is amended to add a new subdivision to read:

"(5a) Enter into contracts with private contractors for assessment and remediation activities at certified dry-cleaning facilities, certified wholesale distribution facilities, or certified abandoned dry-cleaning facility sites."

Section 2. G.S. 143-215.104F(c) reads as rewritten:

"(c) Requirement for Property Owners. – In addition to the information required by subsection (b) of this section, a petitioner who is the owner of the property on which the dry-cleaning solvent contamination identified in the petition is located shall provide the

1 Commission a written agreement authorizing the Commission or its agent to have access
2 to the property for purposes of conducting assessment or remediation activities or
3 determining whether assessment or remediation activities are being conducted in
4 compliance with this Part and any assessment agreement or remediation agreement."

5 Section 3. G.S. 143-215.104I(g) reads as rewritten:

6 "(g) The terms and conditions of a dry-cleaning solvent remediation agreement
7 concerned with dry-cleaning solvent contamination shall be guided by and consistent
8 with the rules adopted by the Commission pursuant to G.S. 143-215.104D and the
9 reimbursement authorities and limitations set out in this Part. A remediation agreement
10 shall provide, subject to availability of monies in the Fund, for prompt reimbursement of
11 response costs incurred in assessment or remediation activities that are found by the
12 Commission to be consistent with the remediation agreement and this Part. A
13 remediation agreement may provide for the Commission to conduct assessment and
14 remediation activities at the site."

15 Section 4. Section 5 of S.L. 1997-392 reads as rewritten:

16 "Section 5. This act constitutes a recent act of the General Assembly within the
17 meaning of G.S. 150B-21.1. The Environmental Management Commission may adopt
18 temporary rules to implement this act until ~~1 January 1999~~ 30 June 2000." ♦

19 Section 5. This act is effective when it becomes law.