

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 1302

Short Title: LUST/Extend Sunset/Increase Tank Fees.

(Public)

Sponsors: Representative Gibson.

Referred to: Finance.

April 12, 2001

A BILL TO BE ENTITLED

1
2 AN ACT TO DELAY THE SUNSET OF THE EXEMPTION OF CLEANUPS OF
3 PETROLEUM FROM LEAKING UNDERGROUND STORAGE TANKS FROM
4 CERTAIN REQUIREMENTS RELATED TO LAND-USE RESTRICTIONS AND
5 DEED RECORDATION AND TO INCREASE THE ANNUAL OPERATING
6 FEES APPLICABLE TO COMMERCIAL PETROLEUM UNDERGROUND
7 STORAGE TANKS.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** Section 4 of S.L. 2000-51 reads as rewritten:

10 "Section 4. Sections 1 and 2 of this act are effective retroactively to 1 October 1999.
11 Sections 3 and 4 of this act are effective when this act becomes law. Section 1 of this act
12 expires 1 September ~~2001,2002.~~"

13 **SECTION 2.** G.S. 143-215.94C(a) reads as rewritten:

14 "(a) For purposes of this subsection, each compartment of a commercial
15 underground storage tank that is designed to independently contain a petroleum product
16 is a separate petroleum commercial underground storage tank. The owner or operator of
17 a commercial petroleum underground storage tank shall pay to the Secretary for deposit
18 into the Commercial Fund an annual operating fee according to the following schedule:

19 (1) For each petroleum commercial underground storage tank of 3,500
20 gallons or less capacity – ~~two hundred dollars (\$200.00).~~two hundred
21 fifteen dollars (\$215.00).

22 (2) For each petroleum commercial underground storage tank of more
23 than 3,500 gallon capacity – ~~three hundred dollars (\$300.00).~~three
24 hundred fifteen dollars (\$315.00)."

25 **SECTION 3.** Section 1 of this act becomes effective 31 August 2000.

26 Section 2 of this act becomes effective 1 January 2002. Section 3 of this act is effective
27 when this act becomes law.