

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1601\*

Committee Substitute Favorable 6/19/92

Senate Environment and Natural Resources Committee Substitute Adopted 7/24/92

Short Title: Env. Tech. Corr. 1992 -2.

(Public)

Sponsors:

Referred to:

June 5, 1992

A BILL TO BE ENTITLED

AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL AMENDMENTS TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH, AND NATURAL RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-212 reads as rewritten:

**"§ 143-212. Definitions applicable to Article. Definitions.**

~~The~~ Unless a different meaning is required by the context, the following definitions apply to this ~~Article~~ Article and Articles 21A and 21B of this Chapter:

- (1) 'Area of the State' means a municipality, a county, a portion of a county or a municipality, or other substantial geographic area of the State designated by the Commission.
- (2) 'Commission' means the North Carolina Environmental Management Commission.
- (3) 'Department' means the Department of Environment, Health, and Natural Resources.
- (4) 'Person' includes individuals, firms, partnerships, associations, institutions, corporations, municipalities and other political subdivisions, and governmental agencies.
- (5) 'Secretary' means the Secretary of Environment, Health, and Natural Resources.

1 (6) 'Waters' means any stream, river, brook, swamp, lake, sound, tidal  
2 estuary, bay, creek, reservoir, waterway, or other body or  
3 accumulation of water, whether surface or underground, public or  
4 private, or natural or artificial, that is contained in, flows through, or  
5 borders upon any portion of this State, including any portion of the  
6 Atlantic Ocean over which the State has jurisdiction."

7 Sec. 2. The catch line to G.S. 143-213 reads as rewritten:

8 "**§ 143-213. Definitions applicable to Article. Definitions.**"

9 Sec. 3. G.S. 143-215.5 reads as rewritten:

10 "**§ 143-215.5. Judicial review of actions under Article. review.**

11 Article 4 of Chapter 150B of the General Statutes governs judicial review of a final  
12 decision of the Secretary or of an order of the Commission under this ~~Article~~ Article  
13 and Articles 21A and 21B of this Chapter. If a case that concerns an action of the  
14 Commission under this Article or Article 21A or 21B of this Chapter is appealed from  
15 the superior court to the Court of Appeals, no bond shall be required of the  
16 Commission."

17 Sec. 4. G.S. 130A-334(15), as enacted by Chapter 944 of the 1991 Session  
18 Laws, 1992 Regular Session, reads as rewritten:

19 "(15) 'Wastewater system' means a system of wastewater collection,  
20 treatment, and ~~disposal~~ disposal, including ~~approved privies, a privy,~~  
21 ~~septic tank systems, connection to system,~~ public or community  
22 ~~wastewater systems,~~ system, wastewater reuse or recycle ~~systems,~~  
23 system, mechanical or biological wastewater treatment systems,  
24 system, any other such systems, or similar system, and any chemical  
25 ~~toilets~~ toilet used only for human waste."

26 Sec. 5. If House Bill 1656 is not ratified, G.S. 113A-12(2), as enacted by  
27 Sections 5 and 7 of Chapter 945 of the 1991 Session Laws (1992 Regular Session),  
28 reads as rewritten:

29 "(2) An action approved under a general permit issued under G.S. 113A-  
30 118.1, 143-215.1(b)(3), or ~~143-215.108(b)(8).~~ 143-215.108(c)(8)."

31 Sec. 6. This act is effective upon ratification.