

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 671*

Agriculture/Environment/Natural Resources Committee Substitute Adopted 5/21/97

Short Title: Study Wastewater Permits & I/M Program.

(Public)

Sponsors:

Referred to: Rules and Operations of the Senate.

April 2, 1997

A BILL TO BE ENTITLED

1
2 AN ACT TO DIRECT THE ENVIRONMENTAL REVIEW COMMISSION TO
3 STUDY THE EVALUATION OF PROPOSED SITES FOR WASTEWATER
4 SYSTEMS; TO DIRECT THE ENVIRONMENTAL MANAGEMENT
5 COMMISSION AND THE DIVISION OF AIR QUALITY OF THE DEPARTMENT
6 OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES, WITH THE
7 ASSISTANCE AND COOPERATION OF THE DIVISION OF MOTOR
8 VEHICLES OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE
9 COSTS AND BENEFITS OF EXPANDING THE EMISSIONS INSPECTION AND
10 MAINTENANCE PROGRAM FOR MOTOR VEHICLES; TO IMPROVE
11 COMPLIANCE WITH THE CURRENT EMISSIONS INSPECTION AND
12 MAINTENANCE PROGRAM; AND TO DIRECT THE ENVIRONMENTAL
13 REVIEW COMMISSION TO STUDY WHETHER THE EMISSIONS
14 INSPECTION AND MAINTENANCE PROGRAM SHOULD BE TRANSFERRED
15 FROM THE DIVISION OF MOTOR VEHICLES TO THE DIVISION OF AIR
16 QUALITY.

17 The General Assembly of North Carolina enacts:

18 Section 1. The Environmental Review Commission shall study issues relating
19 to the preliminary evaluation of proposed sites for wastewater systems. The study shall

1 specifically address whether local health departments should conduct preliminary
2 evaluations of proposed sites for wastewater systems; how preliminary evaluations
3 conducted by local health departments might be made more reliable; the extent to which
4 an applicant may rely on a preliminary evaluation; and liability in instances where the
5 State fails to issue an improvement permit for a site for which a local health department
6 has concluded that the site is appropriate for construction of a wastewater system. The
7 Environmental Review Commission shall report its findings, recommendations, and
8 legislative proposals, if any, to the 1998 Regular Session of the General Assembly.

9 Section 2. The Environmental Management Commission and the Division of
10 Air Quality of the Department of Environment, Health, and Natural Resources, with the
11 assistance and cooperation of the Division of Motor Vehicles of the Department of
12 Transportation, shall study whether the emissions inspection and maintenance program
13 for motor vehicles administered under G.S. 20-128.2 and Part 2 of Article 3A of Chapter
14 20 of the General Statutes should be expanded to include all metropolitan counties. The
15 study shall evaluate the costs and benefits of expanding the program, including the
16 benefits resulting from a reduction in the likelihood that those counties will not meet the
17 national ambient air quality standards for ozone and carbon monoxide in the future,
18 thereby incurring the restrictions on industries, power plants, vehicles, and other activities
19 that apply to nonattainment counties. Beginning 1 January 1998, the Environmental
20 Management Commission shall report its findings, recommendations, and any legislative
21 proposals regarding the matters to be evaluated pursuant to this section to the
22 Environmental Review Commission as part of the quarterly report the Environmental
23 Management Commission is required to make to the Environmental Review Commission
24 by G.S. 143B-282(b).

25 Section 3. The Environmental Management Commission, the Division of Air
26 Quality of the Department of Environment, Health, and Natural Resources, and the
27 Division of Motor Vehicles of the Department of Transportation shall take appropriate
28 steps to ensure that the current emissions inspection and maintenance program for motor
29 vehicles administered under G.S. 20-128.2 and Part 2 of Article 3A of Chapter 20 of the
30 General Statutes is effectively implemented and enforced. Beginning 1 October 1997,
31 the Environmental Management Commission shall report its findings, recommendations,
32 and any legislative proposals regarding the implementation and enforcement of the
33 emissions inspection and maintenance program to the Environmental Review
34 Commission as part of the quarterly report the Environmental Management Commission
35 is required to make to the Environmental Review Commission by G.S. 143B-282(b). The
36 Division of Motor Vehicles shall report on its progress in meeting the requirements of
37 this section to the Environmental Review Commission on a quarterly basis beginning 1
38 October 1997.

39 Section 4. The Environmental Review Commission shall study the
40 administration of the emissions inspection and maintenance program for motor vehicles
41 under G.S. 20-128.2 and Part 2 of Article 3A of Chapter 20 of the General Statutes and
42 whether that program should be transferred from the Division of Motor Vehicles of the
43 Department of Transportation to the Environmental Management Commission and the

1 Division of Air Quality in the Department of Environment, Health, and Natural
2 Resources. The Environmental Review Commission shall report its findings,
3 recommendations, and legislative proposals, if any, to the 1998 Regular Session of the
4 General Assembly.

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