

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1991

CHAPTER 1028  
HOUSE BILL 1601

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

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

"§ 143-213. ~~Definitions applicable to Article.~~ Definitions."

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

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

Article 4 of Chapter 150B of the General Statutes governs judicial review of a final decision of the Secretary or of an order of the Commission under this ~~Article-~~ Article and Articles 21A and 21B of this Chapter. If a case that concerns an action of the Commission under this Article or Article 21A or 21B of this Chapter is appealed from

the superior court to the Court of Appeals, no bond shall be required of the Commission."

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

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

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

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

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of July, 1992.

Henson P. Barnes  
President Pro Tempore of the Senate

Daniel Blue, Jr.  
Speaker of the House of Representatives