

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 732*

Short Title: Underground Storage Tank Prgm. Amends 2003. (Public)

Sponsors: Senators Albertson; Bingham, Dorsett, Garrou, Garwood, Holloman, Horton, Hoyle, Jenkins, Kerr, Kinnaird, Lucas, Malone, Moore, Purcell, Rand, Sloan, Thomas, Tillman, and Weinstein.

Referred to: Agriculture/Environment/Natural Resources.

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO MAKE IMPROVEMENTS IN THE REGULATION OF PETROLEUM UNDERGROUND STORAGE TANKS AND TO THE LEAKING PETROLEUM UNDERGROUND STORAGE TANK CLEANUP PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. In order to reduce costs associated with the assessment and cleanup of discharges and releases of petroleum from petroleum underground storage tanks, the Environmental Management Commission may adopt temporary and permanent rules to modify the testing requirement set out in 15A NCAC 2L.0115 (Risk-Based Assessment and Corrective Action for Petroleum Underground Storage Tanks). Prior to the adoption of temporary rules under this section, the Commission shall:

- (1) Consult with persons who may be interested in the subject matter of the temporary rule during the development of the text of the proposed temporary rule.
- (2) Notify persons on the mailing list that the Commission maintains pursuant to G.S. 150B-21.2(d) of its intent to adopt a temporary rule.
- (3) Publish a notice of intent to adopt a temporary rule in the North Carolina Register. The notice shall set out the text of the proposed temporary rule and include the name of the person to whom questions and written comments on the proposed rule may be submitted. The Commission shall accept written comments on the proposed temporary rule for at least 30 days after the notice of intent to adopt the temporary rule as published in the North Carolina Register.
- (4) Hold at least one public hearing on the proposed temporary rule.

SECTION 2. This act is effective when it becomes law.