

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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**HOUSE BILL 1335
Committee Substitute Favorable 5/12/09**

Short Title: No Duplicative Regulation of Air Toxics. (Public)

Sponsors:

Referred to:

April 9, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO REDUCE STATE REGULATION OF EMISSIONS OF AIR TOXICS WHEN
3 THESE EMISSIONS ARE REGULATED UNDER THE FEDERAL CLEAN AIR ACT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-215.107(a) reads as rewritten:

6 "(a) Duty to Adopt Plans, Standards, etc. – The Commission is hereby directed and
7 empowered, as rapidly as possible within the limits of funds and facilities available to it, and
8 subject to the procedural requirements of this Article and Article 21:

9 ...

10 (5) To develop and adopt emission control standards as in the judgment of the
11 Commission may be necessary to prohibit, abate, or control air pollution
12 commensurate with established air quality standards. This subdivision does
13 not apply to ~~that portion of the National Emission Standards for Hazardous~~
14 ~~Air Pollutants for asbestos that governs demolition and renovation as set out~~
15 ~~in 40 C.F.R. § 61.141, 61.145, 61.150, and 61.154 (1 July 1993 edition); an~~
16 air emission source that is subject to hazardous air pollutant emission
17 standards under 40 C.F.R. Pts. 61 and 63 (July 1, 2008 editions) and that is a
18 Title V source subject to 40 C.F.R. § 70.3(a)(1) (July 1, 2008 edition).
19 Notwithstanding the provisions of this section, the Commission may impose
20 additional requirements as may be necessary to abate a condition that
21 endangers public health or welfare consistent with the policies set out in
22 G.S. 143-211(c).

23"

24 **SECTION 2.** This act becomes effective July 1, 2009.

