

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 729

AMENDMENT NO. A10  
(to be filled in by  
Principal Clerk)

S729-ASB-120 [v.1]

Page 1 of 2

Comm. Sub. [YES]  
Amends Title [YES]  
Second Edition

Date \_\_\_\_\_, 2014

Senator Stein

1 moves to amend the bill on page 2, line 45,  
2 by rewriting that line to read:

3  
4 "HEALTH TO ENVIRONMENTAL MANAGEMENT COMMISSION; (26) AMEND  
5 COMPLIANCE BOUNDARY PROVISIONS; (27) PROVIDE";

6  
7 by renumbering the remaining sections of the Long Title accordingly;

8  
9 on page 43, lines 3 and 4,  
10 by inserting between those lines:

11  
12 **"PART VII. AMEND COMPLIANCE BOUNDARY PROVISIONS**  
13 **SECTION 12.(a) G.S. 143-215.1 reads as rewritten:**  
14 **"§ 143-215.1. Control of sources of water pollution; permits required.**

15 ...  
16 (i) Any person subject to the requirements of this section who is required to obtain an  
17 individual permit from the Commission for a disposal system under the authority of  
18 G.S. 143-215.1 or Chapter 130A of the General Statutes shall have a compliance boundary as  
19 may be established by rule or permit for various categories of disposal systems and beyond  
20 which groundwater quality standards may not be exceeded. ~~The location of the compliance~~  
21 ~~boundary shall be established at the property boundary, except as otherwise established by the~~  
22 ~~Commission. Multiple contiguous properties under common ownership and permitted for use~~  
23 ~~as a disposal system shall be treated as a single property with regard to determination of a~~  
24 ~~compliance boundary under this subsection. boundary. Nothing in this subsection shall be~~  
25 ~~interpreted to require a revision to an existing compliance boundary previously approved by~~  
26 ~~rule or permit.~~

27 (j) ~~When operation of a disposal system permitted under this section results in an~~  
28 ~~exceedance of the groundwater quality standards adopted in accordance with G.S. 143-214.1,~~  
29 ~~the Commission shall require that the exceedances within the compliance boundary be~~  
30 ~~remedied through cleanup, recovery, containment, or other response only when any of the~~  
31 ~~following conditions occur:~~



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Page 2 of 2

1       ~~(1) A violation of any water quality standard in adjoining classified waters of the State~~  
2 ~~occurs or can be reasonably predicted to occur considering hydrogeological conditions,~~  
3 ~~modeling, or any other available evidence.~~

4       ~~(2) An imminent hazard or threat to the environment, public health, or safety exists.~~

5       ~~(3) A violation of any standard in groundwater occurring in the bedrock, including~~  
6 ~~limestone aquifers in Coastal Plain sediments, unless it can be demonstrated that the violation~~  
7 ~~will not adversely affect, or have the potential to adversely affect, a water supply well.~~

8       ~~(k) Where operation of a disposal system permitted under this section results in~~  
9 ~~exceedances of the groundwater quality standards at or beyond the compliance boundary~~  
10 ~~established under subsection (i) of this section, exceedances shall be remedied through cleanup,~~  
11 ~~recovery, containment, or other response as directed by the Commission."~~

12       **SECTION 12.(b)** Section 46(b) of S.L. 2013-413 is repealed.

13       **SECTION 12.(c)** The Environmental Management Commission shall review the  
14 compliance boundary and corrective action provisions of Subchapter 2L of Title 15A of the  
15 North Carolina Administrative Code for clarity and internal consistency. The Commission  
16 shall report the results of its review, including any recommendations, to the Environmental  
17 Review Commission no later than December 1, 2014."; and

18  
19 by renumbering the remaining Parts and Sections accordingly.

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

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