

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2001**

**H**

**3**

**HOUSE BILL 1062\***  
**Committee Substitute Favorable 5/8/01**  
**Third Edition Engrossed 5/14/01**

Short Title: Correct Dry-Cleaning/White Goods Laws.

(Public)

---

Sponsors:

---

Referred to:

---

April 10, 2001

A BILL TO BE ENTITLED

AN ACT TO CORRECT CERTAIN ENVIRONMENTAL LAWS RELATING TO  
THE DRY-CLEANING SOLVENT CLEANUP ACT OF 1997 AND THE  
MANAGEMENT OF WHITE GOODS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 23 of S.L. 2000-19 reads as rewritten:

"Section 23. Section 1.1 of this act becomes effective April 1, 2003, and expires June 30, 2010. Section 1.2 of this act becomes effective ~~October 1, 2001~~, July 1, 2001, and expires January 1, 2010. Sections 3 and 4 of this act are effective on and after April 1, 1998. Section 5.1 of this act becomes effective July 1, 2001. Section 5.2 of this act becomes effective July 1, 2002. Section 5.3 of this act becomes effective July 1, 2003. All other sections of this act are effective when this act becomes law."

**SECTION 2.(a)** Any person who undertakes assessment or remediation of dry-cleaning solvent contamination pursuant to a notice of violation or enforcement action by the Department of Environment and Natural Resources during the period beginning 1 October 1997 and ending 30 June 2001 may, on or after 30 June 2001 seek reimbursement from the Dry-Cleaning Solvent Cleanup Fund for any costs exceeding fifty thousand dollars (\$50,000). The Environmental Management Commission shall reimburse costs if it finds that the costs incurred were (i) appropriately documented and reasonably necessary to assess or remediate the dry-cleaning solvent contamination; (ii) for any of the activities described in subdivisions (1) through (7) of G.S. 143-215.104N(a); (iii) not subject to any of the limitations in subdivisions (4) through (9) of G.S. 143-215.104N(b); (iv) not reimbursable from pollution and remediation legal liability insurance; and (v) required by a notice of violation or a specific order of the Department of Environment and Natural Resources issued on or after 30 June 1996. No reimbursement may be paid pursuant to this section for dry-cleaning solvent contamination that did not result from operations at a dry-cleaning or wholesale distribution facility.

1           **SECTION 2.(b)** Any person who, as of 30 June 2001, is undertaking  
2 assessment or remediation of dry-cleaning solvent contamination may petition the  
3 Environmental Management Commission to enter into a dry-cleaning solvent  
4 assessment agreement or dry-cleaning solvent remediation agreement with respect to the  
5 contamination. The Commission shall determine whether the cost of any assessment or  
6 remediation performed prior to entry into an agreement is necessary and reasonable.  
7 The Commission shall credit the costs of assessment or remediation that it determines to  
8 be necessary and reasonable, and that have been paid by the person, toward the financial  
9 responsibility requirements applicable to that person under G.S. 143-215.104F.

10           **SECTION 2.(c)** The total of all payments made pursuant to this section in a  
11 single fiscal year shall not exceed ten percent (10%) of the revenues credited to the  
12 Dry-Cleaning Solvent Cleanup Fund in the preceding fiscal year.

13           **SECTION 3.** Section 19 of S.L. 2000-19 is repealed.

14           **SECTION 4.** Section 22 of S.L. 2000-19 reads as rewritten:

15           "Section 22. This act constitutes a recent act of the General Assembly within the  
16 meaning of G.S. 150B-21.1. The Environmental Management Commission and the  
17 Commission on Health Services may adopt temporary rules to implement the provisions  
18 of this act until 1 July ~~2001~~. 2002."

19           **SECTION 5.** Sections 7, 8, and 9 of Chapter 471 of the 1993 Session Laws  
20 are repealed.

21           **SECTION 6.** Section 38 of Chapter 745 of the 1993 Session Laws is  
22 repealed.

23           **SECTION 7.** Sections 1, 3, 4, 5, and 8 of this act are effective when the act  
24 becomes law. Section 2 of this act is effective retroactively to 1 January 2000. Section  
25 6 of this act is effective retroactively to 13 July 2000. Section 7 of this act is effective  
26 retroactively to 1 July 1998.