

1 "(c) The Commission shall adopt rules:

- 2 (1) Repealed by Session Laws 1983 (Regular Session, 1984), c. 1022, s. 5.
3 (2) Establishing standards for approving sewage-treatment devices and
4 holding tanks for marine toilets as provided in G.S. 75A-6(o);
5 (3) Establishing specifications for sanitary privies for schools where
6 water-carried sewage facilities are unavailable as provided in G.S.
7 115C-522;
8 (4) Establishing requirements for the sanitation of local confinement
9 facilities as provided in Part 2 of Article 10 of Chapter 153A of the
10 General Statutes;
11 (5) Repealed by Session Laws 1989 (Regular Session, 1990), c. 1075, s. 1.
12 (5a) Establishing eligibility standards for participation in Department
13 reimbursement programs;
14 (6) Requiring proper treatment and disposal of sewage and other waste
15 from chemical and portable toilets; ~~and~~
16 (7) Establishing statewide health outcome objectives and delivery
17 standards. ~~standards; and~~
18 (8) Allowing the Department to select and hire private environmental
19 consulting and engineering firms to implement and oversee voluntary
20 remedial actions by owners, operators, or other responsible parties
21 under G.S 130A-310.9(b). Rules adopted pursuant to this subdivision
22 shall:
23 a. Require that any responsible party that chooses to use an
24 environmental consulting or engineering firm for a voluntary
25 remedial action reimburse the Department for work performed
26 by the firm;
27 b. Specify the standards applicable to private environmental
28 consulting and engineering firms, including the procedures for
29 identifying and choosing firms;
30 c. Require that remedial action implemented and overseen under
31 this paragraph, and documents relating to such action, be fully
32 subject to audit and inspection by the Department;
33 d. Describe the standards and procedures governing charges by
34 private environmental consulting and engineering firms and the
35 reimbursement of those charges; and
36 e. Describe the financial assurances to be required of a responsible
37 party that chooses to utilize this method of overseeing a
38 remedial action."

39 Sec. 2. Article 1 of Chapter 130A is amended by adding a new section to
40 read:

41 "**§ 130A-26.2. Penalties for false reporting.**

42 Any person who knowingly makes any false statement, representation, or
43 certification in any application, record, report, plan, or other document filed or required
44 to be maintained under Article 9, rules adopted under Article 9, or G.S. 130A-29(c)(8),

1 or who falsifies, tampers with, or knowingly renders inaccurate any recording or
2 monitoring device or method required to be operated or maintained under Article 9,
3 rules adopted under Article 9, or G.S. 130A-29(c)(8) shall be guilty of a Class 2
4 misdemeanor which may include a fine not to exceed ten thousand dollars (\$10,000)."

5 Sec. 3. The Environmental Review Commission may study, in cooperation
6 with personnel designated by the Secretary of Environment, Health, and Natural
7 Resources, the possible implementation of a program that would utilize licensed site
8 professionals to oversee voluntary and other remedial actions by responsible parties in
9 lieu of oversight by State personnel, the procedures and standards that would govern the
10 designation and licensing of licensed site professionals, the functions of licensed site
11 professionals, and the weight to be accorded by a State agency to any work overseen
12 and approved by a licensed site professional.

13 Sec. 4. Sections 1 and 2 of this act become effective January 1, 1995,
14 provided that the Commission for Health Services may initiate rule making prior to that
15 date. Section 3 of this act is effective upon ratification.