

April 12, 2001

H 1303. LUST/CLARIFY CLEANUP REQ./INCREASE TANK FEES. TO CLARIFY THE CIRCUMSTANCES IN WHICH LAND USE RESTRICTIONS AND RECORDATION OF THOSE RESTRICTIONS IN THE OFFICE OF THE REGISTER OF DEEDS ARE REQUIRED IN CONNECTION WITH THE CLEANUP OF A RELEASE FROM A PETROLEUM UNDERGROUND STORAGE TANK IN ORDER TO PROTECT THE ENVIRONMENT AND PUBLIC HEALTH, TO ENSURE ENFORCEABILITY OF RESTRICTIONS, AND TO PROVIDE NOTICE TO SUBSEQUENT OWNERS OF THE PROPERTY AND TO INCREASE THE ANNUAL OPERATING FEES APPLICABLE TO COMMERCIAL UNDERGROUND STORAGE TANKS. As title indicates. Amends GS 143B-279.9 to specify what conditions are applicable to land use restrictions on risk-based remedial action plans for cleanup of environmental damage resulting from petroleum discharges that do not meet current standards; defines 'current standards' and 'risk-based' for purposes of that section. Adds new GS 143B-279.10 to specify requirements for filing notice in register of deeds office that real property is subject to cleanup of petroleum pursuant to risk-based remediation action plan. Amends GS 143-215.94B and -215.94D to specify that Commercial and Noncommercial Leaking Underground Storage Tank Cleanup Funds may not be used to pay costs incurred as result of cleanup to more stringent standards than required by Dep't of Environment and Natural Resources. Amends GS 143-215.94C to raise fees assessed on commercial underground storage tanks by \$15 per year. Amendments other than fee increase effective Oct. 1, 2001, for cleanups occurring on or after that date unless Dep't has issued notice prior to that date that no further cleanup is required. Fee increase effective Jan. 1, 2002.

Intro. by Gibson.

Ref. to Environment	GS 143, 143B
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