

April 5, 2001

S 1011. CONSISTENT RISK-BASED REMEDIAL ACTIONS. TO EXPAND AND MAKE CONSISTENT THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES SHALL ALLOW FOR RISK-BASED REMEDIAL ACTIONS. Adds new GS 143B-279.11 concerning remediation of environmentally-damaged areas under the Inactive Hazardous Sites Response Act of 1987, the hazardous waste management program administered by the state pursuant to the federal Resource Conservation and Recovery Act of 1976, the Leaking Petroleum Underground Storage Tank Cleanup Act of 1988, the Brownfields Property Reuse Act of 1997, the Dry-Cleaning Solvent Cleanup Act of 1997, the federal Superfund program administered in part by the state pursuant to the Comprehensive Environmental Response Compensation and Liability Act of 1980, and the groundwater protection program adopted by the Environmental Management Commission. Provides that any person undertaking remediation under any of these statutory provisions may choose either to proceed under rules adopted pursuant to the relevant statute, or to proceed under new rules called for by this bill. The new rules are to be based on an evaluation of all reasonably foreseen risks presented to public health, safety, and welfare and the environment by environmental contamination, and are to be based on all relevant and reasonably available scientific information pertaining to those risks. The rules may provide for reasonable distinctions among contaminated areas based on any relevant factor, including the nature of the environmental contamination, the risk of harm posed by the contamination, the size and complexity of the contaminated area, and the current and anticipated future uses of the contaminated area and adjacent lands. Calls for development of rules by Oct. 1, 2002, and report to the Environmental Review Commission.

Intro. by Clodfelter.

Ref. to Agriculture	GS 143B
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