

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**SENATE BILL 1146**

Short Title: Petroleum Underground Storage Tank Study. (Public)

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Sponsors: Senator Hoyle.

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Referred to: Rules and Operations of the Senate.

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March 22, 2007

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE ENVIRONMENTAL REVIEW COMMISSION SHALL STUDY THE NORTH CAROLINA PETROLEUM UNDERGROUND STORAGE TANK PROGRAM AS WELL AS THE RETURN TO USE OF SITES IMPACTED BY LEAKING TANKS.

The General Assembly of North Carolina enacts:

**SECTION 1.** The Environmental Review Commission shall study the North Carolina petroleum underground storage tank program and the problems of returning to use sites impacted by leaking underground storage tanks. The following issues shall be examined in the study:

- (1) The role of "risk based corrective action" in protecting both public health and the environment.
- (2) An assessment of whether DENR has fully utilized risk based corrective action in the program to date and whether implements could be made to fully utilize existing financial resources in the future.
- (3) An assessment of the pace of clean up "closures", and the DENR's experience with issuing letters of "no further action required" including whether contamination is being addressed promptly and impacted parcels being made eligible for desired commercial transactions that follow appropriate remediation.
- (4) An assessment of fair and equitable funding needs facing the State and the tank owning segment with an examination of solvency issues experienced in the present or expected in the future.
- (5) An examination and survey of other states to determine "model solutions" to address the challenges of financing environmental cleanups following a tank release and the expedited return of impacted parcels to needed and normal real estate commerce.

1           **SECTION 2.** The Commission shall make an interim report on its findings  
2 no later than May 1, 2008, and a final report to the 2009 Regular Session of the General  
3 Assembly no later than January 15, 2009.

4           **SECTION 3.** This act is effective when it becomes law.