

DWR 2014 Bill Summary

updated 8/21/2014	Bill	Bill Title	Study /Report Required?	Deadlines	Summary	Level
Governor's E.O.	Executive Order 62	Addressing Coal Ash in North Carolina	yes	every 120 days	Policy to implement all regulations and laws to protect groundwater and drinking water from adverse impacts from coal ash impoundments	DWR
	S729	Coal Ash Mgt Act of 2014	yes	Quarterly.		DENR, EMC, CAMC
SL2014-90	H201	Building Reutilization for Economic Dev. Act	no	no deadline, but requires EMC & DENR rulemaking	Changes to stormwater impervious surface calculations for redevelopment. SEPA exemption for reoccupation of existing building or facility. EMC & DENR shall changes its rules to conform to this act.	DWR, DEMLR, DENR, EMC
SL2014-103	H366	NC Farm Act of 2014	no		Section 1-maintains the confidentiality of environmental investigations for agricultural operations and directs DENR to adopt rules for a formal complaint procedure. Section 2-clarifies the authority of local governments to adopt ordinances related to fertilizer. Section 10-classifies trespassing on an agricultural facility as a first degree trespass. Section 12-allows drainage districts to maintain ditches in buffer zones.	DWR, EMC
SL2014-41	H894	Source Water Protection Planning	yes	Rulemaking required, 4/1/2015 interim report to ERC and within 6 months after final rules.	Every supplier of water operating a public water system and furnishing water from unfiltered surface supplies shall create and implement a source water protection plan (SWPP). The Commission (Public Health) shall provide an interim report to the ERC no later than April 1, 2015, regarding its progress in implementing the requirements of this act and a final report within six months of adopting final rules implementing the requirements of this act. See H1133 for corrections.	DWR
SL2014-18	H1031	NC Econ Dev Partnership Modifications	yes	January 1, 2015	SECTION 3.3. The DOC, DENR, and DOT, the Community Colleges System Office, and the State Board of Education shall, by January 1, 2015, report to the General Assembly on how they plan to establish Collaboration for Prosperity Zones as defined by this act. SECTION 4.1. No later than January 1, 2015, the Departments shall have at least one employee physically located in the same office in each of the Collaboration for Prosperity Zones set out in G.S. 143B-28.1 to serve as that department's liaison with the other departments and with local governments, schools and colleges, planning and development bodies, and businesses in that zone. Section 4.3(a)...includes DENR.	DENR
SL2014-98	H1054	Spindale/Cape Fear PUA Sewer Fee Collection	no	FYI	Allows Spindale and Cape Fear Public Utilities authority to place liens, garnish wages to collect unpaid fees for sewer availability	FYI
SL2014-87	H1059	New Hanover Occup. Tax Use	no	FYI	lifts restriction that the proceeds from New Hanover room occupancy and tourism tax be only used for beach nourishment. Now the proceeds are to be used for tourism-related expenditures in the district	FYI
SL2014-115	H1133	Technical and Other Corrections	no		Makes technical corrections to H894: SECTION 10.1. G.S. 130A-335(f1) is rewritten to correct a reference to GS 130A-336. SECTION 55.5. G.S. 130A-320, as amended by S.L. 2014-41, is rewritten with the following changes: (c) Every supplier of water operating a public water system <u>treating</u> and furnishing water from unfiltered surface supplies shall create and implement a source water protection plan (SWPP). The Commission shall adopt rules...	DWR PWS
SL2014-44	S58	Clarify Statute of Repose	no	FYI	makes corrections to S574 SL2014-17.	FYI
SL2014-113	S163	Reclaimed Water as a Source Water.	no	no deadline, but requires EMC rules & DENR policies/procedures. Requires WS-III in 2B rules to be amended.	A local water supply system may combine reclaimed water with other raw water sources before treatment certain conditions are satisfied. EMC shall adopt rules for Water Reuse and Gray Water Use. The Department shall develop policies and procedures to promote the voluntary adoption and installation of gray water systems.	DWR
SL2014-17	S574	Groundwater Contamination/Modify Response	no	FYI	Clarifies that certain civil actions relating to groundwater contamination are not subject to the ten-year statute of repose set forth in GS 1-52. For purposes of this subsection, "contaminated by a hazardous substance, pollutant, or contaminant" means the concentration of the hazardous substance, pollutant, or contaminant exceeds a groundwater quality standard set forth in 15A NCAC 2L .0202." See S58 for corrections.	FYI

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	S734	Regulatory Reform Act of 2014	yes	Requires 2H.1005 Stormwater rulemaking; PERCS study; Isolated Wetland rulemaking required/ wetland study & recommendations due Nov 1; Nov 1st due study of acceptable levels in contaminated groundwater sites.	APA rule re-adoption changes; prof engineer exemption; etj/floodplain ordinances; Permit Choice; Contested Cases for CAMA permits; Coastal SW grandfather and amend 2H .1005 stormwater rule; On-site wastewater approval clarification; Reform agency review of engineering work; PERCS pilot study and sw programs; report required on scope of local authority for ordinances; Inlet Hazard Areas; IBT expedited for certain reservoirs; Reform on-site wastewater requirements; Well contractor license changes; Well qualifications and exams; Standardize local well programs and use EMC forms; clarify gravel; modify approved wastewater systems (public health comm); Capstone permitting (ALJ); SW minimum design criteria; clarify effective date of definition of discharge of waste; Isolated Wetlands Rulemaking and Study Recs; Study contaminated areas for riskbased cleanup; Hardison amendment changes.	DWR, DEMLR, DENR, EMC
SL2014-100	S744	Appropriations Act of 2014	yes	December 1, 2014	Section 12E.3(c)The Department of Health and Human Services, Division of Public Health, shall, in consultation with local health departments and the Department of Environment and Natural Resources, study options for reducing or waiving the private well-water testing fee established in subsection (a) of this section for households with incomes at or below three hundred percent (300%) of the current federal poverty level. The Department shall report its findings and recommendations, including any recommended legislation, to the Joint Legislative Oversight Committee on Health and Human Services, the Environmental Review Commission, and the Fiscal Research Division by December 1, 2014; ESRI/GIS study; see pp 122-123 for changes in direction of CWMTF and WQ remediation. Allows flexible cut across DENR	Budget, DENR, DWR
SL2014-86	S788	Town of Duck/Eminent Domain	no	FYI	Allows Town of Duck to use Eminent Domain for beach erosion control and flood and hurricane protection works	FYI
SL2014-95	S883	Mitigation Buffer Rule/Wastewater Treatment	no	buffer mitigation rule adopted by 10/1/2014	Disapproves the consolidated buffer mitigation rules and directs EMC to adopt new mitigation rules. Amends wastewater disposal system requirements.	DWR EEP EMC