

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 1110

Short Title: Disposal/Treatment Referendum.

(Public)

Sponsors: Representatives Gibson; and Warner.

Referred to: Infrastructure.

April 7, 1989

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE APPROVAL OF THE VOTERS OF A COUNTY
2 BEFORE IT MAY BE CHARACTERIZED FOR LOCATION OF A LOW-LEVEL
3 RADIOACTIVE WASTE DISPOSAL FACILITY OR BEFORE A COUNTY MAY
4 BE THE SITE FOR A HAZARDOUS WASTE TREATMENT FACILITY OTHER
5 THAN AS A VOLUNTEER.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 143B-470.4(e) reads as rewritten:

9 "(e) No later than 1 August 1989, the Authority shall select a minimum of two
10 sites that are suitable for the location of a low-level radioactive disposal facility, for
11 characterization. No site may be selected for the location of a low-level radioactive
12 waste disposal facility without first having been characterized.

13 No site may be characterized under this section without the approval of the voters of
14 the county in which it is to be located. The referendum shall be called by the board of
15 commissioners of the county, and shall be conducted by the board of elections of that
16 county in accordance with Chapter 163 of the General Statutes. The form of the
17 question shall be chosen by the board of commissioners of the county with the approval
18 of the county attorney."

19 Sec. 2. G.S. 104G-9(b1) reads as rewritten:

20 "(b1) Notwithstanding the provisions of subsection (b) of this section, until further
21 authorization by the General Assembly, the Treatment Commission shall not site a
22 hazardous waste treatment facility in any county in the State, nor enter into any activity
23 leading to the siting of a facility, including negotiation for, optioning of, purchase of, or
24 condemnation of any land, the preparation or filing of an environmental impact

1 statement, or any other activity that might be precedent to the selection of a site for a
2 hazardous waste treatment facility, except that the Treatment Commission may continue
3 to seek a volunteer county willing to host the facility.

4 No county may, except as a volunteer with the approval of the board of county
5 commissioners, host the facility without the approval of the voters of the county in
6 which it is to be located. The referendum shall be called by the board of commissioners
7 of the county, and shall be conducted by the board of elections of that county in
8 accordance with Chapter 163 of the General Statutes. The form of the question shall be
9 chosen by the board of commissioners of the county with the approval of the county
10 attorney."

11 Sec. 3. This act is effective upon ratification.