

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 708

Short Title: Monitor Compliance Data Electronically.

(Public)

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Sponsors: Representative Nichols.

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Referred to: Health and Environment.

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March 30, 1995

A BILL TO BE ENTITLED

1 AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE  
2 DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES  
3 TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-  
4 SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE  
5 FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL.  
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7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 130A-295.02(j) reads as rewritten:

9 "(j) For purposes of this subsection, special purpose commercial hazardous waste  
10 facilities include: a facility that manages limited quantities of hazardous waste; or a  
11 facility that limits its hazardous waste management activities to reclamation or recycling,  
12 including energy or materials recovery or a facility that stores hazardous waste primarily  
13 for use at such facilities; or a facility that is determined to be low risk under rules adopted  
14 by the Commission pursuant to this subsection. The Commission shall adopt rules  
15 establishing reasonable times and frequencies for the presence of a resident inspector on  
16 less than a full-time basis at special purpose commercial hazardous waste facilities.  
17 Rules adopted pursuant to this subsection shall establish classifications of special purpose  
18 hazardous waste facilities based on factors including, but not limited to, the size of the  
19 facility, the type of treatment or storage being performed, the nature and volume of waste  
20 being treated or stored, the uniformity, similarity, or lack of diversity of the waste

1 streams, the predictability of the nature of the waste streams and their treatability,  
2 whether the facility utilizes automated monitoring or safety devices that adequately  
3 perform functions that would otherwise be performed by a resident inspector, the fact that  
4 reclamation or recycling is being performed at the facility, and the compliance history of  
5 the facility and its operator. Special purpose commercial hazardous waste facilities shall  
6 be subject to inspection at all times during which the facility is in operation, undergoing  
7 any maintenance or repair, or undergoing any test or calibration. Rules adopted pursuant  
8 to this subsection shall specify a minimum number of inspections during such times as  
9 the facility is subject to inspection. Special purpose commercial hazardous waste  
10 facilities that utilize hazardous waste as a fuel source shall be inspected a minimum of 40  
11 hours per ~~week~~-week, unless compliance data for such facilities can be electronically  
12 monitored and recorded off-site by the Department. The Department shall maintain  
13 records of all inspections at special purpose commercial hazardous waste facilities. Such  
14 records shall contain sufficient detail and shall be arranged in a readily understandable  
15 format so as to facilitate determination at any time as to whether the special purpose  
16 commercial hazardous waste facility is in compliance with the requirements of this  
17 subsection and of rules adopted pursuant to this subsection."

18           Sec. 2. This act is effective upon ratification.