

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

1

HOUSE BILL 1128

Short Title: Moratorium on Discharging Systems.

(Public)

Sponsors: Representative Smith.

Referred to: Environment and Natural Resources.

April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE ENVIRONMENTAL MANAGEMENT COMMISSION
2 TO IMPOSE A MORATORIUM ON ADDITIONAL WASTE, SEWER LINES,
3 AND SEWER CONNECTIONS TO A TREATMENT WORKS THAT
4 DISCHARGES FIVE HUNDRED THOUSAND GALLONS OR MORE OF WASTE
5 THAT IS NOT TREATED IN ACCORDANCE WITH PERMIT REQUIREMENTS.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 143-215.67 is amended by adding a new subsection to read:

9 "(e) The Commission shall impose a moratorium on the addition of waste to a
10 treatment works if the Commission determines that the treatment works has discharged
11 into the surface waters of the State 500,000 gallons or more of waste that is not treated in
12 accordance with the permit for the treatment works issued under G.S. 143-215.1. The
13 Commission shall give notice of its intention to impose a moratorium under this
14 subsection at least 45 days prior to the effective date of the moratorium to the person who
15 holds a permit for the treatment works subject to the moratorium. For the first discharge
16 by a treatment works into the surface waters of the State of 500,000 gallons or more of
17 waste that is not treated in accordance with the permit for the treatment works within any
18 three-year period, the Commission shall not issue a permit for a sewer line that will
19 connect to the treatment works for a period of six months from the effective date of the
20 moratorium. For the second or subsequent discharge by a treatment works into the

1 surface waters of the State of 500,000 gallons or more of waste that is not treated in
2 accordance with the permit for the treatment works within any three-year period, the
3 Commission shall not issue a permit for a sewer line that will connect to the treatment
4 works for a period of 12 months from the effective date of the moratorium. The owner
5 and operator of any sewer system that is served by a treatment works on which a
6 moratorium is imposed under this subsection shall not allow any additional connection to
7 be made to the sewer system while the moratorium is in effect. The provisions of this
8 subsection shall apply in addition to and do not affect any other penalty or moratorium
9 imposed by the Commission or a court under any other provision of law."

10 Section 2. This act is effective when it becomes law and applies to any
11 discharge into the surface waters of the State of 500,000 gallons or more of waste that is
12 not treated in accordance with the permit for the treatment works that occurs on or after
13 the date this act becomes law.