

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1991**

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**SENATE BILL 14\***

Short Title: County Clean-Up Funds.

(Public)

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Sponsors: Senators Tally, Basnight, Block, Walker, Winner; Plexico and Ward.

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Referred to: Appropriations.

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February 6, 1991

**A BILL TO BE ENTITLED**

**AN ACT TO APPROPRIATE FUNDS TO QUALIFIED COUNTIES TO SURVEY,  
CLEAN UP, AND ELIMINATE ILLEGAL DISCHARGES OF SEWAGE ONTO  
LAND OR INTO SURFACE WATERS IN VIOLATION OF ARTICLE 11 OF  
CHAPTER 130A OF THE NORTH CAROLINA GENERAL STATUTES.**

Whereas, the 1987-88 General Assembly funded a project in Haywood County to survey, clean up, and eliminate illegal discharges of sewage into streams of this State;

Whereas, the project was successful in identifying and assisting Haywood County to clean up the streams and rivers of this State;

Whereas, it is the intent of the North Carolina General Assembly to expand the project to assist 42 rural counties to survey, clean up, and eliminate illegal discharges of sewage onto land or into surface waters; and

Whereas, the selected counties include those with eight percent (8%) or more residences without public sewer or septic tank systems based on 1980 Census Data;

Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. (a) There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources the sum of \$2,100,000 for the 1991-92 fiscal year which shall be allocated in grants of \$50,000 to the following counties: Alleghany, Anson, Ashe, Bertie, Bladen, Camden, Caswell, Chatham, Cherokee, Chowan, Clay, Columbus, Duplin, Edgecombe, Franklin, Gates, Graham, Granville, Greene, Halifax, Hertford, Hoke, Hyde, Jones, Madison, Martin, Mitchell, Montgomery, Nash, Northampton, Pamlico, Pender, Perquimans, Person, Robeson,

1 Sampson, Stokes, Tyrrell, Vance, Warren, Washington, and Yancey. Each grant shall  
2 be used by the county to enter into a contract with the local or district county health  
3 departments to survey illegal discharges of sewage onto land or into surface waters of  
4 this State in violation of Article 11 of Chapter 130A of the North Carolina General  
5 Statutes.

6 (b) There is appropriated from the General Fund to the Department of  
7 Environment, Health, and Natural Resources the sum of \$4,200,000 for the 1992-93  
8 fiscal year which shall be allocated in grants of \$100,000 to the following counties:  
9 Alleghany, Anson, Ashe, Bertie, Bladen, Camden, Caswell, Chatham, Cherokee,  
10 Chowan, Clay, Columbus, Duplin, Edgecombe, Franklin, Gates, Graham, Granville,  
11 Greene, Halifax, Hertford, Hoke, Hyde, Jones, Madison, Martin, Mitchell,  
12 Montgomery, Nash, Northampton, Pamlico, Pender, Perquimans, Person, Robeson,  
13 Sampson, Stokes, Tyrrell, Vance, Warren, Washington, and Yancey. Each grant shall  
14 be used by the county to enter into a contract with the local or district county health  
15 departments to clean up and eliminate the discharges identified in the survey conducted  
16 pursuant to subsection (a) of Section 1 of this act; provided, however, that no county  
17 shall receive clean-up funds for the 1992-93 fiscal year unless that county has received  
18 survey approval from the Department pursuant to Section 2 of this act.

19 Sec. 2. Funds allocated to each county under subsection (a) of Section 1 of  
20 this act for the 1991-92 fiscal year shall be used to survey illegal sewage discharges.  
21 The Department of Environment, Health, and Natural Resources shall establish a  
22 working group which shall consist of 10 members, to be designated by the North  
23 Carolina Public Health Directors Association. The working group shall develop a  
24 model survey for these counties and shall submit it to the Department for final approval.  
25 The model survey shall be completed and approved by the Department no later than  
26 August 1, 1991, or 60 days after ratification of this act, whichever is later. The  
27 Department shall provide copies of the model survey to these counties within 30 days of  
28 the date that the model survey is finalized. The counties listed in Section 1 of this act  
29 shall complete a survey that is consistent with the model survey by June 1, 1992. The  
30 Department shall have 30 working days from the date the Department receives a county  
31 survey to determine whether the survey is deemed consistent with the model survey. If  
32 the Department determines that a county survey submitted by a county is not consistent  
33 with the model survey, that county shall not receive clean-up funds appropriated in  
34 subsection (b) of Section 1 of this act.

35 Sec. 3. Funds allocated to each county under subsection (b) of Section 1 of  
36 this act for the 1992-93 fiscal year shall be used by the county to enter into a contract  
37 with the local or district county health departments for grants-in-aid to low-income  
38 county residents to clean up and eliminate illegal sewage discharges identified by the  
39 county survey conducted under Section 2 of this act. "Low-income" means those persons  
40 and families whose incomes do not exceed fifty percent (50%) of the median family  
41 income for the local area, with adjustments for family size, according to the latest  
42 figures available from the United States Department of Housing and Urban  
43 Development. Grants-in-aid recipients must receive an improvement permit from the  
44 local or district health department prior to the receipt of any grant funds.

1           Sec. 4. There is appropriated from the General Fund to the Department of  
2 Environment, Health, and Natural Resources the sum of \$245,624 for the 1991-92 fiscal  
3 year and \$219,124 for the 1992-93 fiscal year for administrative support and up to five  
4 positions to assist local officials in designing and approving sewage systems which meet  
5 State and local regulatory requirements and expenses.

6           Sec. 5. There is appropriated from the General Fund to the Department of  
7 Environment, Health, and Natural Resources a sum not to exceed \$170,000 for the  
8 1992-93 fiscal year in incentive grants of \$10,000 to be awarded to the first 17 counties  
9 which receive approval by the Department for the survey submitted prior to January 1,  
10 1992. The grants shall be used for public health activities.

11           Sec. 6. Each county receiving funds under this act shall submit a final report  
12 to the Department by June 30, 1993, on the expenditure of these funds.

13           Sec. 7. Those funds appropriated under subsection (a) of Section 1 of this act  
14 for the 1991-92 fiscal year that are not expended as of June 30, 1992, shall revert to the  
15 General Fund and may be reappropriated by the General Assembly during the 1992-93  
16 fiscal year for additional surveys based on 1980 Census Data for counties with seven  
17 percent (7%) or more residents who lack public sewer or septic tank systems.

18           Sec. 8. Section 2 of this act is effective upon ratification. The remainder of  
19 this act becomes effective July 1, 1991, and expires June 30, 1993.