

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 650

SHORT TITLE: Asbestos Program Amendments

SPONSOR(S): Senate Committee Substitute (4)

FISCAL IMPACT: **Expenditures:** **Increase ()** **Decrease ()**
 Revenues: **Increase (X)** **Decrease ()**
 No Impact ()
 No Estimate Available ()

FUND AFFECTED: **General Fund (X)** **Highway Fund ()** **Local Govt. ()**
 Other Funds (X) Environment Health and Natural Resources
Note! The administrative penalty is General Fund revenue.

BILL SUMMARY:

The Senate committee substitute (1) changes title of bill to "AN ACT TO AMEND ARTICLE 19 OF CHAPTER 130A OF THE GENERAL STATUTES REGARDING ASBESTOS HAZARD MANAGEMENT AND TO MAKE CERTAIN TECHNICAL CHANGES TO CONFORM WITH RECENT FEDERAL REQUIREMENTS"; (2) provides that, except as noted below, maximum administrative penalty for violation of law regarding asbestos hazard management is \$1,000 per day (was \$10,000 per day); (3) adds new G.S. 130A-22(b2) imposing maximum administrative penalty of \$10,000 for violation of national emission standards relating to asbestos in renovations and demolitions; (4) amends G.S. 130A-444 to add definition of "person" and to include references to federal laws related to definitions; (5) amends G.S. 130A-447(a) to require approval of asbestos related training courses by Department of Environment, Health, and Natural Resources; (6) amends G.S. 130A-447(c) to provide that requirements relating to accreditation of persons performing asbestos management activities does not apply to (a) the owner or operator of a building (other than a school building subject to requirements of federal law) when performing small-scale, short duration activities as defined in federal regulations, (b) government regulatory personnel performing certain inspections for purpose of determining compliance with applicable laws and regulations, or (c) certain licensed contractors performing small-scale, short duration activities defined in federal regulations; (7) adds new G.S. 130A-448(b) allowing the Department to establish and collect fees (not to exceed \$1,500 for each course or \$500 for annual course renewals) for approving asbestos management training courses; (8) adds new G.S. 130A-452 providing that Department must authorize a local air pollution program to enforce national emission standards for asbestos for renovations and demolitions if the program was certified by the Environmental Management Commission pursuant to G.S. 143-215.112 prior to Oct. 1, 1994 (and may authorize enforcement by local air pollution program if certified on or after Oct. 1, 1994), and to continue such authorization as long as the program maintains such certification and complies with the Commission's rules regarding enforcement of standards by local air pollution programs; and (9) provides that act is effective Oct. 1, 1994.

EFFECTIVE DATE: October 1, 1994

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:

State Health Commission
Department of Environment, Health, and Natural Resources

FISCAL IMPACT

	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98	<u>FY</u> 98-99
REVENUES:					
GENERAL FUND	\$20,000	30,000	30,000	30,000	30,000
EHNR	20,667	31,000	31,000	31,000	31,000
TOTAL	\$ 40,667	61,000	61,000	61,000	61,000

ASSUMPTIONS AND METHODOLOGY:

Administrative penalties are based on 30 a year at \$1000.00 each. The accrual fee for approval of asbestos management training courses are based on 10 courses a year at \$1,500.00 each and the Department expects 32 renewals at \$500.00 in a single year.

SOURCES OF DATA:

Department of Environment, Health, and Natural Resources

TECHNICAL CONSIDERATIONS

Section 1, G.S. 130A - 22 (b2), sites a penalty for violations. This language is re-written due to transferring of the administration of the penalty to the Health Commission. This act does not change the current penalty amount.

FISCAL RESEARCH DIVISION

733-4910

PREPARED BY: H. Warren Plonk

APPROVED BY: Tom Covington **TOMC**

DATE: June 29, 1994

[RFD#001]



Signed Copy Located in the NCGA Principal Clerk's Offices