

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 708
Committee Substitute Favorable 4/19/95

Short Title: Monitor Compliance Data Electronically.

(Public)

Sponsors:

Referred to:

March 30, 1995

A BILL TO BE ENTITLED

AN ACT TO AMEND THE GENERAL STATUTES TO AUTHORIZE THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES TO ELECTRONICALLY MONITOR AND RECORD COMPLIANCE DATA OFF-SITE FROM SPECIAL PURPOSE COMMERCIAL HAZARDOUS WASTE FACILITIES THAT USE HAZARDOUS WASTE AS A FUEL.

The General Assembly of North Carolina enacts:

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

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

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

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