



2015-2016 General Assembly

HOUSE BILL 97: 2015 Appropriations Act, Sec. 14.16B: Noncommercial Tanks - Eliminate Initial Abatement Requirements

Committee:

Introduced by:

Analysis of: Sec. 14.16B of S.L. 2015-241

Date:

Prepared by: Jennifer McGinnis
Staff Attorney

SUMMARY: *Sec. 14.16B of S.L. 2015-241 requires the Department of Environmental Quality ((DEQ), formerly the Department of Environment and Natural Resources) to amend rules governing initial abatement requirements associated with a discharge or release from a noncommercial underground storage tank to:*

- *Prohibit DEQ from requiring that a responsible party take immediate action or initial abatement actions until such time as DEQ has classified the risk posed by the discharge or release, except for those actions determined by DEQ to be necessary to protect public health, safety, and welfare and the environment, and to mitigate any fire, explosion, or vapor hazard.*
- *Require DEQ to notify the responsible party that no cleanup, no further cleanup, or no further action will be required by DEQ if the risk posed by a discharge or release from such a tank is determined by DEQ to be low risk, without requiring soil remediation. DEQ may, however, reclassify the risk if it later determines that the discharge or release poses an unacceptable risk or a potentially unacceptable risk to human health or the environment.*

This section became effective July 1, 2015.

Karen Cochrane-
Brown
Director



Research Division
(919) 733-2578