



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 308

AMENDMENT NO. _____
(to be filled in by
Principal Clerk)

S308-ARI-31 [v.2]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [YES]
Second Edition

Date _____, 2011

Representative McElraft

1 moves to amend the bill on page 1, lines 2 through 7,
2 by rewriting those lines to read:

3
4 "AN ACT TO: (1) PROHIBIT STATE AGENCIES FROM ADOPTING, IMPLEMENTING,
5 OR ENFORCING A RULE THAT REGULATES GREENHOUSE GAS EMISSIONS OR
6 LIMITS HUMAN ACTIVITY FOR THE PURPOSE OF REDUCING GREENHOUSE
7 GAS EMISSIONS IF THE RULE IS NOT REQUIRED BY A FEDERAL LAW OR
8 REGULATION OR IS MORE STRINGENT THAN A CORRESPONDING FEDERAL
9 REGULATION OR LAW; AND (2) PROVIDE THAT RULES ADOPTED TO
10 CONTROL EMISSIONS OF TOXIC AIR POLLUTANTS SHALL NOT APPLY TO
11 ANY AIR EMISSION SOURCE THAT IS SUBJECT TO ANY REQUIREMENT
12 UNDER 40 C.F.R. PARTS 61 AND 63, OR TO ANY EMISSION SOURCE THAT USES
13 UNADULTERATED FOSSIL FUELS OR RENEWABLE BIOMASS FUELS.";

14
15 and on page 1, line 23,
16 by rewriting that line to read:

17
18 "SECTION 2. G.S. 143-215.107(a) reads as rewritten:
19 "(a) Duty to Adopt Plans, Standards, etc. - The Commission is hereby directed and
20 empowered, as rapidly as possible within the limits of funds and facilities available to it, and
21 subject to the procedural requirements of this Article and Article 21:

22
23 (5) To develop and adopt emission control standards as in the judgment of the
24 Commission may be necessary to prohibit, abate, or control air pollution
25 commensurate with established air quality standards. ~~This subdivision does~~
26 ~~not apply to that portion of the National Emission Standards for Hazardous~~
27 ~~Air Pollutants for asbestos that governs demolition and renovation as set out~~
28 ~~in 40 C.F.R. § 61.141, 61.145, 61.150, and 61.154 (1 July 1993~~
29 ~~edition). Rules adopted pursuant to this subdivision that control emissions of~~
30 ~~toxic air pollutants shall not apply to any air emission source that is subject~~
31 ~~to any requirement under 40 C.F.R. Parts 61 and 63, as amended, or to any~~
32 ~~emission source that uses unadulterated fossil fuels or renewable biomass~~
33 ~~fuels.~~

