Sixty-first Legislative Assembly of North Dakota

Introduced by

- 1 A BILL for an Act to amend and reenact subdivision c of subsection 2 of section 37-17.1-07.1 of
- 2 the North Dakota Century Code, relating to hazardous chemicals preparedness and response
- 3 program fees.

## 4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

- 5 **SECTION 1. AMENDMENT.** Subdivision c of subsection 2 of section 37-17.1-07.1 of 6 the North Dakota Century Code is amended and reenacted as follows:
- 7 C. Each owner and operator of a facility, as defined in SARA title III, shall pay an 8 annual hazardous chemicals fee to the division of homeland security by 9 March first of each year. The fee is twenty-five fifty-two dollars for each 10 chemical within the meaning of 40 CFR 355.20 or its successor which is 11 required under section 312 of SARA title III, to be listed on the hazardous 12 chemical inventory form (tier II) which the owner or operator must submit to 13 the division. The federal requirements must be used for completing the tier II 14 form, including the threshold amounts, as outlined in 40 CFR 370.20. The 15 maximum fee for a facility under this section is one four hundred fifty sixteen 16 dollars. The division of homeland security shall transfer one-third of the funds 17 collected to the county hazardous chemicals preparedness and response 18 account one half of the funds collected from the state's hazardous chemicals 19 fee system and one-third of the funds collected to the North Dakota 20 firefighters association. The North Dakota firefighters association shall use 21 the funds to support training and response capabilities for incidents involving 22 hazardous chemicals.