

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 136
Committee Substitute Favorable 5/2/91

Short Title: Solid Waste Incinerator Bans.

(Public)

Sponsors:

Referred to:

February 21, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID
3 WASTE IN LANDFILLS OR BY INCINERATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. The catch line of G.S. 130A-309.10 reads as rewritten:

6 "**§ 130A-309.10. Prohibited acts relating to packaging; coded labeling of plastic**
7 **containers required; disposal of certain special wastes in landfills or by**
8 **incineration prohibited.**"

9 Sec. 2. G.S. 130A-309.10 is amended by adding a new subsection to read:

10 "(h) In accordance with the following schedule, no person shall knowingly
11 dispose of the following special wastes by incineration, provided that this subsection
12 applies only to disposal by incineration, and does not apply to disposal incident to
13 energy recovery:

14 (1) Lead-acid batteries, after 1 October 1991.

15 (2) Used oil, after 1 October 1991.

16 (3) Yard trash, after 1 October 1991.

17 (4) White goods, after 1 October 1991.

18 (5) Wooden pallets, after 1 October 1992."

19 Sec. 3. G.S. 130A-309.10(f) reads as rewritten:

20 "(f) In accordance with the following schedule, no person shall knowingly
21 dispose of the following special wastes in landfills:

22 (1) Lead-acid batteries, after 1 January 1991. Lead-acid batteries also
23 shall not be disposed of in any waste-to-energy facility after 1 January

- 1 1991. To encourage proper collection and recycling, all persons who
2 sell lead-acid batteries at retail shall accept used lead-acid batteries as
3 trade-ins for new lead-acid batteries.
- 4 (2) Used oil, after 1 October 1990.
- 5 (3) Yard trash, after 1 January 1993, except in landfills classified for such
6 use under rules adopted by the Commission. Yard trash that is source
7 separated from solid waste may be accepted at a solid waste disposal
8 area where the area provides and maintains separate yard trash
9 composting facilities.
- 10 (4) White goods, after 1 January 1991.
- 11 (5) Wooden pallets, after 1 October 1992."
- 12 Sec. 4. G.S. 130A-294 is amended by adding a new subdivision to read:
13 "(6a) 'Energy recovery' means use of any solid waste to produce electricity
14 or other energy, or use of any solid waste as a substitute for another
15 fuel, including any fuel not derived from solid waste, whether or not
16 energy is produced. Energy recovery is not incineration."
- 17 Sec. 5. This act is effective upon ratification.