

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 136
Committee Substitute Favorable 5/2/91
Third Edition Engrossed 5/7/91

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 in an incinerator for which a
12 permit is required under this Article, provided that this subsection applies only to
13 disposal by incineration, and does not apply to disposal incident to 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:

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