

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1211

Short Title: Improved Animal Waste Technology.

(Public)

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Sponsors: Representatives Hackney; and Luebke.

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Referred to: Environment and Natural Resources.

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April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO IMPROVE THE ENVIRONMENTAL PERFORMANCE OF SWINE  
2 FARMS BY REQUIRING IMPROVEMENTS IN ANIMAL WASTE  
3 MANAGEMENT SYSTEMS TECHNOLOGY AND BY REQUIRING  
4 INDIVIDUAL PERMITS FOR NEW SWINE FARMS AND FOR EXPANSIONS  
5 OF EXISTING SWINE FARMS.  
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 143-215.10C(a) reads as rewritten:

9 "(a) No person shall construct or operate an animal waste management system for  
10 an animal operation without first obtaining an individual permit under Part 1 of this  
11 Article or a general permit under this Part. The Commission shall develop a system of  
12 individual and general permits for animal operations based on species, number of  
13 animals, and other relevant factors. It is the intent of the General Assembly that most  
14 animal waste management systems be permitted under a general permit issued under this  
15 Part. ~~The~~ Prior to September 1, 1999, the Commission, in its discretion, may require that  
16 an animal waste management system be permitted under an individual permit issued  
17 under Part 1 of this Article if the Commission determines that an individual permit is  
18 necessary to protect water quality, public health, or the environment. September 1, 1999,  
19 and thereafter, the Commission shall require that an animal waste management system

1 for a new swine farm and for an expansion of an existing swine farm be permitted under  
2 an individual permit issued under Part 1 of this Article.”

3 Section 2. G.S. 143-215.10C(b) reads as rewritten:

4 "(b) An animal waste management system shall be designed, constructed, and  
5 operated so that the animal operation served by the animal waste management system  
6 does not cause pollution in the waters of the State except as may result because of rainfall  
7 from a storm event more severe than the 25-year, 24-hour storm. The Commission shall  
8 not issue a permit for an animal waste management system for a new swine farm or for  
9 an expansion of an existing swine farm that employs an anaerobic lagoon as the primary  
10 method of treatment or that employs land application of waste except by injection of  
11 surface application that meets the requirements of subdivisions (1) through (5) of this  
12 subsection. The Commission shall issue a permit for an animal waste management  
13 system for a new swine farm or for an expansion of an existing swine farm only if the  
14 Commission determines that the animal waste management system meets all of the  
15 following requirements:

16 (1) Will eliminate the discharge of animal waste to surface waters and  
17 groundwater through direct discharge, seepage, or runoff.

18 (2) Will substantially eliminate atmospheric emissions of ammonia.

19 (3) Will substantially eliminate the emission of odor that is detectable  
20 beyond the boundaries of the parcel or tract of land on which the swine  
21 farm is located.

22 (4) Will substantially eliminate the release of disease-transmitting vectors  
23 and airborne pathogens.

24 (5) Will substantially eliminate nutrient and heavy metal contamination of  
25 soil and groundwater."

26 Section 3. G.S. 143-215.10C is amended by adding a new subsection to read:

27 "(b1) As used in subsection (b) of this section:

28 (1) 'Anaerobic lagoon' means a lagoon that treats waste by converting it  
29 into carbon dioxide, methane, ammonia, and other gaseous compounds;  
30 organic acids; and cell tissue through an anaerobic process.

31 (2) 'Anaerobic process' means a biological treatment process that occurs in  
32 the absence of dissolved oxygen."

33 Section 4. This act becomes effective September 1, 1999.