

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 880
HOUSE BILL 2282

AN ACT TO ENCOURAGE RECYCLING OF FOOD PROCESSING BY-PRODUCTS AND TO REQUIRE REPORTS FROM THE DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES CONCERNING THE LAND APPLICATION OF FOOD PROCESSING BY-PRODUCTS.

The General Assembly of North Carolina enacts:

Section 1. Within 90 days of the effective date of this act, the Environmental Management Commission shall initiate rule-making proceedings to allow the by-products of food processing, food manufacturing, or fermentation processes to be designated by some name other than "sludge" in permits for land application issued pursuant to G.S. 143-215.1.

Sec. 2. The Secretary of the Department of Environment, Health, and Natural Resources shall review and make determinations concerning the following:

- (1) The permit process for nondischarge permits generally and nondischarge permits for the land application of food wastes. The Secretary shall determine whether such permits can be issued in a shorter period of time.
- (2) The regulatory criteria and permit conditions applicable to the nondischarge of wastes. The Secretary shall propose which criteria and permit conditions may be appropriately altered for the land application of food wastes in order to increase the availability of application sites, expedite the permit application development process, and to recognize other appropriate distinguishing characteristics of food wastes.
- (3) The impact of the nondischarge regulations and permits on the need for emergency disposal of food wastes. The Secretary shall determine what constitutes an emergency disposal need and shall recommend the appropriate methods or regulatory criteria to meet those needs on a timely basis.

Sec. 3. The Secretary, in consultation with the Department of Agriculture, the North Carolina Agricultural Extension Service, a land application contractor, and the North Carolina Water Pollution Control Federation, shall report his preliminary findings and recommendations to the Legislative Research Commission no later than November 1, 1990, by filing copies of the report with the chairmen of the Commission's Agribusiness Plant Variance Study Committee. A final report shall be made to the General Assembly on or before the first day of the convening of the 1991 General

Assembly by filing copies with the President of the Senate, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 9th day of July, 1990.