

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**SENATE BILL 733
Agriculture/Environment/Natural Resources Committee Substitute Adopted
4/17/03
House Committee Substitute Favorable 4/22/03**

Short Title: Gen. Nondischarge Permits/Animal Operations.

(Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF
2 CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE
3 MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY
4 OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT
5 AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL
6 NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT
7 SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS
8 TO PROTECT WATER QUALITY.
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10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** Notwithstanding 15A NCAC 2H.0225(e), the Department of
12 Environment and Natural Resources, pursuant to the powers relative to general permits
13 and to permits for facilities not discharging to the surface waters of the State that are
14 granted to the Environmental Management Commission under G.S. 143-215.1 and G.S.
15 143-215.10C and delegated by the Commission to the Department, shall extend the
16 expiration of general permits AWG100000 (Swine), AWG200000 (Cattle), and
17 AWG300000 (Poultry) until 1 October 2004. Subject to the provisions of 40 Code of
18 Federal Regulations Part 123 (1 July 2002 Edition) and of subsections (g) and (h) of 15
19 NCAC 2H.0225, the Department of Environment and Natural Resources shall extend
20 the expiration of individual certificates of coverage issued under these general permits
21 until 1 October 2004.

22 **SECTION 2.** The Department of Environment and Natural Resources shall
23 study the use of general nondischarge permits for animal waste management systems for
24 swine, cattle, and poultry operations to protect water quality, including the impact of the
25 use of general permits for swine, cattle, and poultry operations on the land application
26 and potential discharge of nitrogen and phosphorous to surface water and groundwater
27 in the State. In conducting this study, the Department shall consult with the Department

1 of Agriculture and Consumer Services; the College of Agriculture and Life Sciences at
2 North Carolina State University; representatives of swine, cattle, and poultry farmers;
3 representatives of environmental protection and natural resources conservation groups;
4 and other interested parties. In the course of the study required by this section, the
5 Department of Environment and Natural Resources shall prepare draft revised general
6 permits for animal waste management systems that serve swine, cattle, and poultry
7 operations and shall circulate these draft permits, along with drafts of the forms that
8 farmers would be required to use in connection with these permits, among interested
9 parties for comment. Consistent with water quality protection goals and strategies, the
10 Department of Environment and Natural Resources may further revise the draft revised
11 general permits and associated forms on the basis of comment from interested parties.
12 The Department of Environment and Natural Resources shall report its findings and
13 recommendations to the Environmental Review Commission on or before 1 March
14 2004.

15 **SECTION 3.** This act becomes effective 30 April 2003.