

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-28
SENATE BILL 733**

AN ACT TO PROVIDE FOR EXTENSIONS OF THE EXPIRATION DATES OF CERTAIN GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS AND TO DIRECT THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES TO STUDY THE USE OF GENERAL NONDISCHARGE PERMITS FOR ANIMAL WASTE MANAGEMENT SYSTEMS THAT SERVE SWINE, CATTLE, AND POULTRY OPERATIONS TO PROTECT WATER QUALITY.

The General Assembly of North Carolina enacts:

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

SECTION 2. The Department of Environment and Natural Resources shall study the use of general nondischarge permits for animal waste management systems for swine, cattle, and poultry operations to protect water quality, including the impact of the use of general permits for swine, cattle, and poultry operations on the land application and potential discharge of nitrogen and phosphorous to surface water and groundwater in the State. In conducting this study, the Department shall consult with the Department of Agriculture and Consumer Services; the College of Agriculture and Life Sciences at North Carolina State University; representatives of swine, cattle, and poultry farmers; representatives of environmental protection and natural resources conservation groups; and other interested parties. In the course of the study required by this section, the Department of Environment and Natural Resources shall prepare draft revised general permits for animal waste management systems that serve swine, cattle, and poultry operations and shall circulate these draft permits, along with drafts of the forms that farmers would be required to use in connection with these permits, among interested parties for comment. Consistent with water quality protection goals and strategies, the Department of Environment and Natural Resources may further revise the draft revised general permits and associated forms on the basis of comment from interested parties. The Department of Environment and Natural Resources shall report its findings and recommendations to the Environmental Review Commission on or before 1 March 2004.

SECTION 3. This act becomes effective 30 April 2003.
In the General Assembly read three times and ratified this the 28th day of April, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 10:18 a.m. this 30th day of April, 2003