

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1160*

Short Title: Extend Animal Waste Pilot.

(Public)

Sponsors: Representatives Hackney; and Hardaway.

Referred to: Environment and Natural Resources.

April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE PILOT PROGRAM UNDER WHICH THE DIVISION OF
2 SOIL AND WATER CONSERVATION OF THE DEPARTMENT OF
3 ENVIRONMENT AND NATURAL RESOURCES CONDUCTS ALL
4 INSPECTIONS OF ANIMAL WASTE MANAGEMENT SYSTEMS IN CERTAIN
5 COUNTIES.

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7 The General Assembly of North Carolina enacts:

8 Section 1. Section 15.4(a) of S.L. 1997-443 reads as rewritten:

9 "(a) The Department of ~~Environment, Health, Environment~~ and Natural Resources
10 shall develop and implement a pilot program to begin no later than November 1, 1997,
11 and to terminate ~~October 31, 1998, December 31, 2000,~~ regarding the annual inspections
12 of animal operations that are subject to a permit under Part 1A of Article 21 of Chapter
13 143 of the General Statutes. The Department shall select two counties located in a part of
14 the State that has a high concentration of swine farms to participate in this pilot program.
15 Notwithstanding G.S. 143-215.10F, the Division of Soil and Water Conservation of the
16 Department of Environment and Natural Resources shall conduct inspections of all
17 animal operations that are subject to a permit under Part 1A of Article 21 of Chapter 143
18 of the General Statutes in these two counties at least once a year to determine whether
19 any animal waste management system is causing a violation of water quality standards
20 and whether the system is in compliance with its animal waste management plan or any

1 other condition of the permit. The personnel of the Division of Soil and Water
2 Conservation who are to conduct these inspections in each of these two counties shall be
3 located in an office in the county in which that person will be conducting inspections. As
4 part of this pilot program, the Department of ~~Environment, Health, Environment~~ and
5 Natural Resources shall establish procedures whereby resources within the local Soil and
6 Water Conservation Districts serving the two counties are used for the quick response of
7 to complaints and reported problems previously referred only to the Division of Water
8 Quality. ~~Quality of the Department of Environment and Natural Resources.~~"

9 Section 2. The two counties that were selected for the pilot program pursuant
10 to Section 15.4(a) of S.L. 1997-443, Columbus County and Jones County, shall remain in
11 the pilot program.

12 Section 3. The Division of Soil and Water Conservation of the Department of
13 Environment and Natural Resources and the Division of Water Quality of the Department
14 of Environment and Natural Resources shall jointly submit interim reports no later than
15 October 15, 1999; April 15, 2000; October 15, 2000; and a final report no later than
16 January 15, 2001, to the Environmental Review Commission and to the Fiscal Research
17 Division. These reports shall indicate whether the pilot program has increased the
18 effectiveness of the annual inspections program or the response to complaints and
19 reported problems, specifically whether the pilot program had resulted in identifying
20 violations earlier, taking corrective actions earlier, increasing compliance with the animal
21 waste management plans and permit conditions, improving the time to respond to
22 discharges, complaints, and reported problems, improving communications between
23 farmers and Department employees, and any other consequences deemed pertinent by the
24 Department. The final report shall include a recommendation as to whether to continue
25 or expand the pilot program under this act. The Environmental Review Commission may
26 recommend to the 2001 General Assembly whether to continue or expand the pilot
27 program under this act and may make any related legislative proposals.

28 Section 4. This act is effective when it becomes law.