

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 136

Committee Substitute Favorable 5/2/91

Third Edition Engrossed 5/7/91

Senate Environment and Natural Resources Committee Substitute Adopted 7/2/91

Short Title: Solid Waste Incineration Bans.

(Public)

Sponsors:

Referred to:

February 21, 1991

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE DISPOSAL OF CERTAIN CLASSES OF SOLID WASTE IN LANDFILLS OR BY INCINERATION.

The General Assembly of North Carolina enacts:

Section 1. The catch line of G.S. 130A-309.10 reads as rewritten:

"§ 130A-309.10. Prohibited acts relating to packaging; coded labeling of plastic containers required; disposal of certain special wastes in landfills or by incineration prohibited."

Sec. 2. G.S. 130A-309.10 is amended by adding a new subsection to read:

"(h) In accordance with the following schedule, no person shall knowingly dispose of the special wastes listed below by incineration in an incinerator for which a permit is required under this Article. This subsection applies only to disposal by incineration and does not apply to disposal incident to energy recovery. Subdivisions (2) and (4) of this subsection do not apply to an incinerator for which a permit was initially issued prior to 1 July 1991.

- (1) Used oil, after 1 October 1991.
- (2) Yard trash, after 1 October 1991.
- (3) White goods, after 1 October 1991.
- (4) Wooden pallets, after 1 October 1992."

Sec. 3. G.S. 130A-309.10(f), as amended by Section 1 of Chapter 375 of the 1991 Session Laws, reads as rewritten:

1 (f) In accordance with the following schedule, no person shall knowingly
2 dispose of the following special wastes in landfills:

3 (2) Used oil, after 1 October 1990.

4 (3) Yard trash, after 1 January 1993, except in landfills classified for such
5 use under rules adopted by the Commission. Yard trash that is source
6 separated from solid waste may be accepted at a solid waste disposal
7 area where the area provides and maintains separate yard trash
8 composting facilities.

9 (4) White goods, after 1 January 1991.

10 (5) Wooden pallets, after 1 October 1992."

11 Sec. 4. G.S. 130A-294 is amended by adding a new subdivision to read:

12 "(6a) 'Energy recovery' means use of any solid waste to produce electricity
13 or other energy, or use of any solid waste as a substitute for another
14 fuel, including any fuel not derived from solid waste, whether or not
15 energy is produced. Energy recovery is not incineration."

16 Sec. 5. This act is effective upon ratification.