

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**SENATE BILL 1598**

Short Title: Clarify Animal Waste Tech Specialist Cert Rqs. (Public)

Sponsors: Senators Albertson; Apodaca, Atwater, Bingham, Blake, Bland, Boseman, Brock, Brown, East, Garwood, Holloman, Jenkins, Kerr, Lucas, Smith, Snow, Tillman, Webster, and Weinstein.

Referred to: Agriculture/Environment/Natural Resources.

May 18, 2006

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT ANIMAL WASTE MANAGEMENT SYSTEMS  
3 TECHNICAL SPECIALISTS ARE NOT REQUIRED TO BE PROFESSIONAL  
4 ENGINEERS, AS RECOMMENDED BY THE ENVIRONMENTAL REVIEW  
5 COMMISSION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 139-4(d)(11) reads as rewritten:

8 "(11) To develop and implement a program for the ~~approval-certification~~  
9 water quality and animal waste management systems technical  
10 specialists. The Commission shall not require a person to be a licensed  
11 professional engineer under Chapter 89C of the General Statutes in  
12 order to be certified as an animal waste management systems technical  
13 specialist."

14 **SECTION 2.** G.S. 89C-25 reads as rewritten:

15 **"§ 89C-25. Limitations on application of Chapter.**

16 This Chapter shall not be construed to prevent or affect:

17 ...

18 (11) The development of plans for the closure of lagoons that are  
19 components of animal waste management systems in accordance with  
20 the requirements of the practice standards of the Natural Resources  
21 Conservation Service of the United States Department of Agriculture,  
22 so long as the design or installation of a spillway is not needed. As  
23 used in this subdivision, 'lagoon' has the same meaning as in  
24 G.S. 106-802 and 'animal waste management system' has the same  
25 meaning as in G.S. 143-215.10B.

26 (12) The development of plans for the application of animal waste to  
27 croplands and pasturelands as required under G.S. 143-215.10C.

1           (13) Any practice related to animal waste management systems subject to  
2           Part 1A of Article 21 of Chapter 143 of the General Statutes when the  
3           practice does not involve the structure of an animal waste management  
4           system and the practice is conducted by an animal waste management  
5           systems technical specialist certified by the Soil and Water  
6           Conservation Commission under G.S. 139-4."

7           **SECTION 3.** This act is effective when it becomes law.