

March 27, 2007

H 1115. SWINE FARM ENV. PERFORMANCE STANDARDS/FUNDS. Filed 3/27/07. *TO CODIFY AND MAKE PERMANENT THE SWINE FARM ANIMAL WASTE MANAGEMENT SYSTEM PERFORMANCE STANDARDS THAT THE GENERAL ASSEMBLY ENACTED IN 1998, TO ASSIST FARMERS WITH THE EARLY ADOPTION OF INNOVATIVE SWINE WASTE MANAGEMENT SYSTEMS, TO RENAME THE EMERGENCY DRINKING WATER FUND THE BERNARD ALLEN CLEAN WELL WATER FUND, AND TO ESTABLISH A REPORTING REQUIREMENT UNDER THE BERNARD ALLEN CLEAN WELL WATER FUND.*

Permitting. Enacts new GS 143-215.10I, effective September 1, 2007, prohibiting the authorization or modification of permits for hog farms using lagoon and sprayfield waste systems and authorizing the Environmental Management Commission (EMC) to issue permits for waste systems serving hog farms only if they meet or exceed listed performance standards. Makes an exception for those farms for which a permit was issued before September 1, 2007. Directs the EMC to adopt rules to implement GS 143-215.10I.

Innovative Swine Waste Management. Effective July 1, 2007, establishes the Early Adoption of Innovative Swine Waste Management Systems Program (program) which expires July 1, 2012, to provide grants to facilitate the voluntary installation of innovative swine waste management systems on at least 100 swine farms that were in operation on or before September 1, 2007, and that have at least 65 million pounds steady state live weight cumulative capacity. Provides limitations and requirements for the distribution of funds and establishes criteria and priorities to be used in selecting farms to participate in the program. Establishes the Task Force for Innovative Swine Waste Management Systems and establishes the members of the task force. Requires the task force to assist with the program and evaluate markets for swine waste by-products and methods to encourage participating in the production and use of renewable energy or other marketable swine waste by-products. Requires the Division of Soil and Water Conservation in the Department of Environment and Natural Resources (DENR) to report on the implementation of the program to the Environmental Review Commission, by November 1 of each year. Prohibits the EMC from issuing or modifying a permit for the construction, operation, or expansion of a waste management system that serves a swine farm unless the system is permissible under GS 143-215.10I and steady state live weight allowances have been allocated to the farm, as determined by the EMC; once all hog farms in operation on or before September 1, 2007, have adopted innovative waste management systems, this requirement expires and the EMC may permit the construction or expansion of additional hog farms. Establishes the Swine Farm Waste Management System Conversion Account to provide funds for the installation of innovative hog waste management systems on farms in operation before September 1, 2007. Appropriates \$10 million for 2007-08 and \$10 million for 2008-09 from the General Fund to the Swine Farm Waste Management System Conversion Account and expresses the intent that these funds be recurring through 2011-12. Also limits the amount of money in the fund that may be used for operating and administrative expenses.

Bernard Allen Clear Well Water Fund. Amends GS 87-98 to rename the Emergency Drinking Water Fund as the Bernard Allen Clean Well Water Fund and makes the money in the fund nonreverting. Specifies that the funds may be used for testing costs whether or not the contamination source is known and allows funds to be used for the repair or replacement of contaminated wells. Requires DENR to submit an annual report on the implementation of the fund to the EMC no later than November 1 of each year with the first report due November 1, 2007. Appropriates \$10 million for 2007-08 from the General Fund to the Bernard Allen Clean Well Water Fund. Effective July 1, 2007 unless otherwise indicated.

Intro. by Justice, Lucas, McComas, Carney. GS 87, 143, APPROP