

May 25, 2010

H 2012. REGULATE CERTAIN COAL-ASH STRUCTURAL FILL. Filed 5/25/10. *TO REQUIRE PERMITS FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR THE REUSE OF COMBUSTION PRODUCTS AND FOR CERTAIN SOLID WASTE DISPOSAL SITES FOR STRUCTURAL FILL AND TO ESTABLISH PERMIT FEES FOR THESE DISPOSAL SITES, IN ORDER TO ADEQUATELY PROTECT THE PUBLIC HEALTH AND THE ENVIRONMENT.*

Amends GS 130A-294(a) to exempt solid waste disposal sites for the reuse of combustion products from permitting requirements when their end product is fully encapsulated. Likewise exempts solid waste disposal sites for structural fill (defined in new GS 130A-290(41a) as an engineered fill with a projected beneficial end use, constructed using properly placed and compacted coal combustion by-products) from permitting requirements when the structural fill is fully encapsulated. Prohibits the establishment of solid waste disposal sites for the reuse of combustion products and solid waste disposal sites for structural fill when their end product or structural fill is not fully encapsulated (defined in new GS 130A-290(a)(6a) to mean they are encased or enclosed in a way that prevents leaching of any coal combustion residual constituents). Amends GS 130A-295.8(c) to set out a schedule of application fees for new permits, permit amendments, and permit modifications, varying depending on the total weight of combustion products accepted at the site each year. Amends GS 130A-295.8(d) to add a \$3,500 annual permit fee for disposal sites for reuse of combustion products or for structural fill. Effective January 1, 2011, and applicable to combustion products reused or disposed of on or after that date.

Intro. by Harrison.

GS 130