

# FAILED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 328

AMENDMENT NO. A3  
(to be filled in by  
Principal Clerk)

S328-ARI-68 [v.3]

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Comm. Sub. [YES]  
Amends Title [NO]  
Third Edition

Date \_\_\_\_\_, 2013

Senator Clark

1 moves to amend the bill on page 11, line 44, through page 12, line 10,  
2 by rewriting those lines to read:

3  
4 "(c1) The Department shall not issue a permit to construct any disposal unit of a sanitary  
5 landfill if any portion of the proposed waste disposal unit would be located in any area  
6 surrounding a major military installation in this State. This subsection shall not preclude the  
7 siting of any sanitary landfill on a major military installation, which is used by the major  
8 military installation. For purposes of this subsection, the following definitions apply:

9 (1) "Area surrounding major military installations" is the area that extends five  
10 miles beyond the boundary of a major military installation and may include  
11 incorporated and unincorporated areas of counties and municipalities.

12 (2) "Major military installation" means Fort Bragg, Pope Army Airfield, Camp  
13 Lejeune Marine Corps Air Base, New River Marine Corps Air Station,  
14 Cherry Point Marine Corps Air Station, Military Ocean Terminal at Sunny  
15 Point, the United States Coast Guard Air Station at Elizabeth City, Naval  
16 Support Activity Northwest, Air Route Surveillance Radar (ARSR-4) at Fort  
17 Fisher, and Seymour Johnson Air Force Base, in its own right and as the  
18 responsible entity for the Dare County Bombing Range, and any facility  
19 located within the State that is subject to the installations' oversight and  
20 control.

21 (d) The Department shall not issue a permit to construct any disposal unit of a sanitary  
22 landfill if, at the earlier of (i) the acquisition by the applicant or permit holder of the land or of  
23 an option to purchase the land on which the waste disposal unit will be located, (ii) the  
24 application by the applicant or permit holder for a franchise agreement, or (iii) at the time of the  
25 application for a permit, any portion of the proposed waste disposal unit would be located  
26 within:

- 27 (1) Five miles of the outermost boundary of a National Wildlife Refuge.
- 28 (2) One mile of the outermost boundary of a State gameland owned, leased, or  
29 managed by the Wildlife Resources Commission pursuant to G.S. 113-306.
- 30 (3) Two miles of the outermost boundary of a component of the State Parks  
31 System."  
32



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SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**