

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 61
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30021-MH-21 (01/10)

Short Title: Local Control/Land Application of Biosolids. (Public)

Sponsors: Representative Pittman.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE LOCAL SAFEGUARDS FOR THE LAND APPLICATION OF
3 BIOSOLIDS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-215.1(d) reads as rewritten:

6 "(d) Applications and Permits for Sewer Systems, Sewer System Extensions and
7 Pretreatment Facilities, Land Application of Waste, and for Wastewater Treatment Facilities
8 Not Discharging to the Surface Waters of the State. –

9 (1) Applications. – All applications for new permits and for renewals of existing
10 permits for sewer systems, sewer system extensions and for disposal
11 systems, and for land application of waste, or treatment works which do not
12 discharge to the surface waters of the State, and all permits or renewals and
13 decisions denying any application for permit or renewal shall be in writing.
14 The Commission shall act on a permit application as quickly as possible.
15 The Commission may conduct any inquiry or investigation it considers
16 necessary before acting on an application and may require an applicant to
17 submit plans, specifications, and other information the Commission
18 considers necessary to evaluate the application.

19 (2) Deemed approved. – If the Commission fails to act on an application for a
20 permit, including a renewal of a permit, within 90 days after the applicant
21 submits all information required by the Commission, the application is
22 considered to be approved.

23 (3) Effective date. – Permits and renewals issued in approving such facilities
24 pursuant to this subsection shall be effective until the date specified therein
25 or until rescinded unless modified or revoked by the Commission.

26 (4) Local comment and conditions for land application of certain wastes. – Prior
27 to acting on a permit application for the land application of bulk residuals
28 resulting from the operation of a wastewater treatment facility, the
29 Commission shall provide notice and an opportunity for comment from the
30 governing board of the county in which the site of the land application of
31 bulk residuals is proposed to be located. If the county operates or contracts
32 with an incinerator permitted under Article 9 of Chapter 130A of the General
33 Statutes, the governing board may by ordinance require that the bulk
34 residuals be incinerated prior to land application. If the county does not
35 operate or contract with a permitted incinerator, then the governing board
36 may by ordinance specify an alternate method of pathogen reduction and



1 vector attraction reduction. In either case, the ordinance shall be attached to
2 the permit, and the Commission shall incorporate the ordinance's
3 requirements into the permit.

4 (5) Public access. – Local governmental units to whom pretreatment program
5 authority has been delegated shall establish, maintain, and provide to the
6 public, upon written request, a list of pretreatment applications received.

7 ~~(2)~~(6) An applicant for a permit to dispose of petroleum contaminated soil by land
8 application shall give written notice that he intends to apply for such a
9 permit to each city and county government having jurisdiction over any part
10 of the land on which disposal is proposed to occur. The Commission shall
11 not accept such a permit application unless it is accompanied by a copy of
12 the notice and evidence that the notice was sent to each such government by
13 certified mail, return receipt requested. The Commission may consider, in
14 determining whether to issue the permit, the comments submitted by local
15 governments."

16 **SECTION 2.** This act becomes effective October 1, 2015, and applies to any land
17 application site for disposal of bulk residuals for which a permit is issued or renewed on or
18 after that date.